

810-3-39-.05 Taxable Years Following an Election Period for an Alabama Affiliated Group.

(1) Except as provided in paragraph (2), for any taxable year beginning after the expiration of the election period set forth in § 40-18-39(c)(6), Code of Alabama 1975, each member of the Alabama affiliated group subject to Alabama income tax shall file a separate return unless the Alabama affiliated group elects to file an Alabama consolidated return and is not otherwise prohibited from doing so.

(2) The election to file an Alabama consolidated return on or before the date prescribed by Rule 810-3-39-.01 for filing the return or as extended pursuant to Rule 810-3-39-.01 for the first taxable year after the expiration of the 96 month election period, shall:

- (a) Constitute a new election to file an Alabama consolidated return; and
- (b) Establish a new election period under § 40-18-39(c)(6).

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Authority: §§40-2A-7(a)(5), 40-18-39, and 40-18-57, Code of Alabama 1975.

History: New rule: Filed May 3, 2000, effective June 7, 2000.