2008 Form 1120-PC, U.S. Property and Casualty Insurance Company Income Tax Return

Purpose: This is the first circulated draft of the 2008 Form 1120-PC for your review and comments. The Instructions will be circulated separately at a later date. See below for a discussion of the major changes.

TPCC Meeting: None, but one may be arranged if requested.

Prior Version: The 2007 Form 1120-PC is available at:
http://www.irs.gov/pub/irs-pdf/f1120pc.pdf

Instructions: The 2008 Instructions for Form 1120-PC will be circulated at a later date. The 2007 instructions are available at:
http://www.irs.gov/pub/irs-pdf/i1120pc.pdf

Other Products: Circulations of draft tax forms, instructions, notices, and publications are posted at:
http://taxforms.web.irs.gov/circulations/index.htm

Comments: Please email, fax, call, or mail any comments by **July 17, 2008.**
Comments should also be sent to the reviewer at Clarence.O.Light@irs.gov

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Major Changes to the 2008 Form 1120-PC

1) The reference to Form 5735 is removed from Line 8b because the American Samoa economic development credit is expired for years beginning in 2008 and has no carryforward provision (section 119(d) of PL 109-432).

2) Under IRC section 834, electing small insurance companies can choose to report taxable income before DRD on Form 1120-PC, Schedule B, line 19. Therefore, a reference to Schedule B, line 19, is added to Schedule M-1, line 10. This change is also going to be made to the 2008 Schedule M-3 for the Form 1120-PC.

3) The year is updated as necessary.

Form **1120-PC**

Department of the Treasury
Internal Revenue Service

U.S. Property and Casualty Insurance Company Income Tax Return

For calendar year 2008 or tax year beginning ---------- , 2008, ending ------ ------- , 20 -------

► See separate instructions.

OMB No. 1545-1027

2008

A Check if:
1 Consolidated return (attach Form 851) ☐
2 Life-nonlife consolidated return ☐
3 Schedule M-3 (Form 1120-PC) attached ☐

Please print or type

Name

B Employer identification number

Number, street, and room or suite no. If a P.O. box, see instructions.

C Date incorporated

City or town, state, and ZIP code

D Check applicable box if an election has been made under section(s):
☐ 953(c)(3)(C) ☐ 953(d)

E Check if: **(1)** ☐ Final return **(2)** ☐ Name change **(3)** ☐ Address change **(4)** ☐ Amended return

Tax Computation and Payments

1	Taxable income (Schedule A, line 37)			1	
2	Taxable investment income for electing small companies (Schedule B, line 21)			2	
3	Check if a member of a controlled group (attach Schedule O (Form 1120)) ► ☐				
4	Income tax			4	
5	Enter amount of tax that a reciprocal must include			5	
6	Alternative minimum tax (attach Form 4626)			6	
7	Add lines 4 through 6			7	
8a	Foreign tax credit (attach Form 1118)	8a			
b	Credit from Form 8834	8b			
c	General business credit. Check applicable box(es): ☐ Form 3800 ☐ Form 5884 ☐ Form 6478 ☐ Form 8835, Section B ☐ Form 8844 ☐ Form 8846	8c			
d	Credit for prior year minimum tax (attach Form 8827)	8d			
e	Bond credits from: ☐ Form 8860 ☐ Form 8912	8e			
f	**Total credits.** Add lines 8a through 8e			8f	
9	Subtract line 8f from line 7			9	
10	Foreign corporations—Tax on income not connected with U.S. business			10	
11	Personal holding company tax (attach Schedule PH (Form 1120))			11	
12	Other taxes. Check if from: ☐ Form 4255 ☐ Form 8611 ☐ Other (attach schedule)			12	
13	**Total tax.** Add lines 9 through 12			13	
14a	2007 overpayment credited to 2008	14a			
b	Prior year(s) special estimated tax payments to be applied	14b			
c	2008 estimated tax payments (see instructions)	14c			
d	2008 special estimated tax payments (Do not include on line 14f)	14d			
e	2008 refund applied for on Form 4466	14e ( )			
f	Enter the total of lines 14a through 14c less line 14e	14f			
g	Tax deposited with Form 7004	14g			
h	Credit by reciprocal for tax paid by attorney-in-fact under section 835(d)	14h			
i	Other credits and payments	14i		14j	
15	Estimated tax penalty (see instructions). Check if Form 2220 is attached ► ☐			15	
16	**Amount owed**. If line 14j is smaller than the total of lines 13 and 15, enter amount owed			16	
17	**Overpayment**. If line 14j is larger than the total of lines 13 and 15, enter amount overpaid			17	
18	Enter amount from line 17: **Credited to 2009 estimated tax** ► **Refunded** ►			18	

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Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer | Date | Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ **Yes** ☐ **No**

Paid Preparer's Use Only

Preparer's signature | Date | Check if self-employed ☐ | Preparer's SSN or PTIN

Firm's name (or yours if self-employed), address, and ZIP code | EIN | Phone no. ( )

Schedule A Taxable Income—Section 832 (see instructions)

Income

1	Premiums earned (Schedule E, line 7)			1	
2	Dividends (Schedule C, line 14)			2	
		(a) Interest received	**(b)** Amortization of premium		
3a	Gross interest				
b	Interest exempt under section 103				
c	Subtract line 3b from line 3a				
d	Taxable interest. Subtract line 3c, column (b) from line 3c, column (a)			3d	
4	Gross rents			4	
5	Gross royalties			5	
6	Capital gain net income (attach Schedule D (Form 1120))			6	
7	Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797)			7	
8	Certain mutual fire or flood insurance company premiums (section 832(b)(1)(D))			8	
9	Income on account of special income and deduction accounts			9	
10	Income from protection against loss account (see instructions)			10	
11	Mutual interinsurers or reciprocal underwriters—decrease in subscriber accounts			11	
12	Income from a special loss discount account (attach Form 8816)			12	
13	Other income (attach schedule)			13	
14	Gross income. Add lines 1 through 13			14	

Deductions (See instructions for limitations on deductions.)

15	Compensation of officers (attach schedule) (see instructions)			15	
16	Salaries and wages (less employment credits)			16	
17	Agency balances and bills receivable that became worthless during the tax year			17	
18	Rents			18	
19	Taxes and licenses			19	
20a	Interest ▶ _____ b Less tax-exempt interest exp. ▶ _____ c Bal. ▶			20c	
21	Charitable contributions			21	
22	Depreciation (attach Form 4562)			22	
23	Depletion			23	
24	Pension, profit-sharing, etc., plans			24	
25	Employee benefit programs			25	
26	Losses incurred (Schedule F, line 14)			26	
27	Additional deduction (attach Form 8816)			27	
28	Other capital losses (Schedule G, line 12, column (g))			28	
29	Dividends to policyholders			29	
30	Mutual interinsurers or reciprocal underwriters—increase in subscriber accounts			30	
31	Other deductions (see instructions) (attach schedule)			31	
32	Total deductions. Add lines 15 through 31			32	
33	**Subtotal.** Subtract line 32 from line 14			33	
34a	Special deduction for section 833 organizations (Schedule H, line 6)	34a			
b	Deduction on account of special income and deduction accounts	34b			
c	Total. Add lines 34a and 34b			34c	
35	**Subtotal.** Subtract line 34c from line 33			35	
36a	Dividends-received deduction (Schedule C, line 25)	36a			
b	Net operating loss deduction	36b			
c	Total. Add lines 36a and 36b			36c	
37	**Taxable income** (subtract line 36c from line 35). Enter here and on page 1, line 1			37	

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Schedule B Part I—Taxable Investment Income of Electing Small Companies—Section 834 (see instructions)

		(a) Interest received	(b) Amortization of premium			
Income	1a Gross interest					
	b Interest exempt under section 103					
	c Subtract line 1b from line 1a					
	d Taxable interest. Subtract line 1c, column (b) from line 1c, column (a)			1d		
	2 Dividends (Schedule C, line 14)			2		
	3 Gross rents			3		
	4 Gross royalties			4		
	5 Gross income from a trade or business, other than an insurance business, and from Form 4797			5		
	6 Income from leases described in sections 834(b)(1)(B) and 834(b)(1)(C)			6		
	7 Gain from Schedule D (Form 1120), line 14			7		
	8 Gross investment income. Add lines 1d through 7			8		
Deductions	9 Real estate taxes			9		
	10 Other real estate expenses			10		
	11 Depreciation (attach Form 4562)			11		
	12 Depletion			12		
	13 Trade or business deductions as provided in section 834(c)(8) (attach schedule)			13		
	14 Interest			14		
	15 Other capital losses (Schedule G, line 12, column (g))			15		
	16 Total. Add lines 9 through 15			16		
	17 Investment expenses (attach schedule)			17		
	18 **Total deductions.** Add lines 16 and 17			18		
	19 Subtract line 18 from line 8			19		
	20 Dividends-received deduction (Schedule C, line 25)			20		
	21 **Taxable investment income.** Subtract line 20 from line 19. Enter here and on page 1, line 2			21		

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Part II—Invested Assets Book Values

(Complete only if claiming a deduction for general expenses allocated to investment income.)

		(a) Beginning of tax year		(b) End of tax year	
22	Real estate	22			
23	Mortgage loans	23			
24	Collateral loans	24			
25	Policy loans, including premium notes	25			
26	Bonds of domestic corporations	26			
27	Stock of domestic corporations	27			
28	Government obligations, etc.	28			
29	Bank deposits bearing interest	29			
30	Other interest-bearing assets (attach schedule)	30			
31	Total. Add lines 22 through 30	31			
32	Add columns (a) and (b), line 31			32	
33	Mean of invested assets for the tax year. Enter one-half of line 32			33	
34	Multiply line 33 by .0025			34	
35	Income base. Line 1b, column (a) plus line 8 less the sum of line 1b, column (b) and line 16	35			
36	Multiply line 33 by .0375	36			
37	Subtract line 36 from line 35. Do not enter less than zero	37			
38	Multiply line 37 by .25			38	
39	Limitation on deduction for investment expenses. Add lines 34 and 38			39	

Schedule C Dividends and Special Deductions (see instructions)

			Dividends-Received (a) Subject to section 832(b)(5)(B)	Dividends-Received (b) Total dividends-received
	Income			
1	Dividends from less-than-20%-owned domestic corporations (other than debt-financed stock)	1		
2	Dividends from 20%-or-more-owned domestic corporations (other than debt-financed stock)	2		
3	Dividends on debt-financed stock of domestic and foreign corporations	3		
4	Dividends on certain preferred stock of less-than-20%-owned public utilities	4		
5	Dividends on certain preferred stock of 20%-or-more-owned public utilities	5		
6	Dividends on stock of certain less-than-20%-owned foreign corporations and certain FSCs	6		
7	Dividends on stock of certain 20%-or-more-owned foreign corporations and certain FSCs	7		
8	Dividends from wholly owned foreign subsidiaries and certain FSCs	8		
9	Dividends from affiliated companies	9		
10	Other dividends from foreign corporations not included on lines 3, 6, 7 or 8	10		
11	Income from controlled foreign corporations under subpart F (attach Forms 5471)	11		
12	Foreign dividend gross-up (section 78)	12		
13	Other dividends (attach schedule)	13		
14	**Total dividends.** Add lines 1 through 13. Enter here and on Schedule A, line 2, or Schedule B, line 2, whichever applies	14		

			Dividends-Received Deduction (a) Subject to section 832(b)(5)(B)	Dividends-Received Deduction (b) Total dividends-received deduction
	Deduction			
15	Multiply line 1 by 70%	15		
16	Multiply line 2 by 80%	16		
17	Deduction for line 3 (see instructions)	17		
18	Multiply line 4 by 42%	18		
19	Multiply line 5 by 48%	19		
20	Multiply line 6 by 70%	20		
21	Multiply line 7 by 80%	21		
22	Enter the amount from line 8	22		
23	**Total.** Add lines 15 through 22. (See instructions for limitation.)	23		
24	Total. Add line 23, column (a), and line 9, column (a). Enter here and on Schedule F, line 10	24		
25	**Total deductions.** Add line 23, column (b), and line 9, column (b). Enter here and on Schedule A, line 36a, or Schedule B, line 20, whichever applies	25		

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Schedule E Premiums Earned—Section 832 (see instructions)

1	Net premiums written			1	
2	Unearned premiums on outstanding business at the end of the preceding tax year:				
a	Enter 100% of life insurance reserves included in unearned premiums (section 832(b)(7)(A)) and all unearned premiums of section 833 organizations	2a			
b	Enter 90% of unearned premiums attributable to insuring certain securities	2b			
c	Discounted unearned premiums attributable to title insurance	2c			
d	Enter 80% of all other unearned premiums	2d			
e	Total. Add lines 2a through 2d			2e	
3	**Total.** Add lines 1 and 2e			3	
4	Unearned premiums on outstanding business at the end of the current tax year:				
a	Enter 100% of life insurance reserves included in unearned premiums (section 832(b)(7)(A)) and all unearned premiums of section 833 organizations	4a			
b	Enter 90% of unearned premiums attributable to insuring certain securities	4b			
c	Discounted unearned premiums attributable to title insurance	4c			
d	Enter 80% of all other unearned premiums	4d			
e	**Total.** Add lines 4a through 4d			4e	
5	Subtract line 4e from line 3			5	
6	Transitional adjustments under section 832(b)(7)(D) (see instructions)			6	
7	**Premiums earned.** Add lines 5 and 6. Enter here and on Schedule A, line 1			7	

Schedule F Losses Incurred—Section 832 (see instructions)

1	Losses paid during the tax year (attach schedule)			1	
2	Balance outstanding at the end of the current tax year for:				
a	Unpaid losses on life insurance contracts	2a			
b	Discounted unpaid losses	2b			
c	**Total.** Add lines 2a and 2b			2c	
3	Add lines 1 and 2c			3	
4	Balance outstanding at the end of the preceding tax year for:				
a	Unpaid losses on life insurance contracts	4a			
b	Discounted unpaid losses	4b			
c	**Total.** Add lines 4a and 4b			4c	
5	Subtract line 4c from line 3			5	
6	Estimated salvage and reinsurance recoverable at the end of the preceding tax year			6	
7	Estimated salvage and reinsurance recoverable at the end of the current tax year			7	
8	Losses incurred (line 5 plus line 6 less line 7)			8	
9	Tax-exempt interest subject to section 832(b)(5)(B)	9			
10	Dividends-received deduction subject to section 832(b)(5)(B) (Schedule C, line 24)	10			
11	The increase in policy cash value of section 264(f) policies as defined in section 805(a)(4)(F)	11			
12	**Total.** Add lines 9, 10, and 11			12	
13	Reduction of deduction under section 832(b)(5)(B). Multiply line 12 by .15			13	
14	**Losses incurred deductible under section 832(c)(4).** Subtract line 13 from line 8. Enter here and on Schedule A, line 26			14	

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Schedule G Other Capital Losses (see instructions)

(Capital assets sold or exchanged to meet abnormal insurance losses and to pay dividends and similar distributions to policyholders.)

1	Dividends and similar distributions paid to policyholders			1	
2	Losses paid			2	
3	Expenses paid			3	
4	Total. Add lines 1, 2, and 3			4	
	Note. Adjust lines 5 through 8 to cash method if necessary.				
5	Interest received	5			
6	Dividends-received (Schedule C, line 14)	6			
7	Gross rents, gross royalties, lease income, etc., and gross income from a trade or business other than an insurance business including income from Form 4797 (include gains for invested assets only)	7			
8	Net premiums received	8			
9	**Total.** Add lines 5 through 8			9	
10	Limitation on gross receipts from sales of capital assets. Line 4 less line 9. If zero or less, enter -0-			10	

	(a) Description of capital asset	(b) Date acquired	(c) Gross sales price	(d) Cost or other basis	(e) Expense of sale	(f) Depreciation allowed (or allowable)	(g) Loss ((d) plus (e) less the sum of (c) and (f))
11							
12	Totals—column (c) must not be more than line 10. (Enter amount from column (g) in Schedule A, line 28, or Schedule B, line 15, whichever applies)						

Schedule H Special Deduction And Ending Adjusted Surplus for Section 833 Organizations (see instructions)

1	Health care claims incurred during the tax year and liabilities incurred during the tax year under cost-plus contracts	1		
2	Expenses incurred during the tax year in connection with the administration, adjustment, or settlement of health care claims or in connection with the administration of cost-plus contracts	2		
3	**Total.** Add lines 1 and 2	3		
4	Multiply line 3 by .25	4		
5	Beginning adjusted surplus	5		
6	**Special deduction.** Subtract line 5 from line 4. If zero or less, enter -0-. Enter here and on Schedule A, line 34a. (See instructions for limitation.)	6		
7	Net operating loss deduction (Schedule A, line 36b)	7		
8	Net exempt income:			
a	Adjusted tax-exempt income	8a		
b	Adjusted dividends-received deduction	8b		
9	Taxable income (Schedule A, line 37)	9		
10	**Ending adjusted surplus.** Add lines 5 through 9	10		

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Schedule I Other Information (see instructions)

	Yes	No
1 Check method of accounting:		
a ☐ Cash		
b ☐ Accrual		
c ☐ Other (specify) ▶		
2 Check box for kind of company:		
a ☐ Mutual		
b ☐ Stock		
3 At the end of the tax year, did the corporation own, directly or indirectly, 50% or more of the voting stock of a domestic corporation? (For rules of attribution, see section 267(c).)		
If "Yes," attach a schedule showing: **(a)** name and employer identification number (EIN); **(b)** percentage owned; and **(c)** taxable income or (loss) before NOL and special deductions of such corporation for the tax year ending with or within your tax year.		
4 Is the corporation a subsidiary in an affiliated group or a parent-subsidiary controlled group? . . .		
If "Yes," enter name and EIN of the parent corporation ▶		
5 At the end of the tax year, did any individual, partnership, corporation, estate, or trust own, directly or indirectly, 50% or more of the corporation's voting stock? (For rules of attribution, see section 267(c).) .		
If "Yes," attach a schedule showing name and identifying number. (Do not include any information already entered in **4** above.)		
Enter percentage owned ▶		
6 At any time during the tax year, did one foreign person own, directly or indirectly, at least 25% of: **(a)** the total voting power of all classes of stock of the corporation entitled to vote, or **(b)** the total value of all classes of stock of the corporation? If "Yes," enter:		
(a) Percentage owned ▶ ..... and **(b)** Owner's country ▶		
(c) The corporation may have to file **Form 5472,** Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business. Enter number of Forms 5472 attached ▶		
7 Has the corporation elected to use its own payout pattern for discounting unpaid losses and unpaid loss adjustment expenses?		
8a Enter the total unpaid losses shown on the corporation's annual statement:		
(1) for the current tax year: $ _____		
(2) for the previous tax year: $ _____		
b Enter the total unpaid loss adjustment expenses shown on the corporation's annual statement:		
(1) for the current tax year: $ _____		
(2) for the previous tax year: $ _____		
9 Does the corporation discount any of the loss reserves shown on its annual statement? . . .		
10 Enter the amount of tax-exempt interest received or accrued during the tax year ▶ $ _____		
11 If the corporation has an NOL for the tax year and is electing to forgo the carryback period, check here . . . . . ▶ ☐		
If the corporation is filing a consolidated return, the statement required by Regulations section 1.1502-21(b)(3) must be attached or the election will not be valid.		
12 Enter the available NOL carryover from prior tax years. (Do not reduce it by any deduction on line 36b, Schedule A.) . . ▶ $ _____		

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Schedule L Balance Sheets per Books (All filers are required to complete this schedule.)

Assets	Beginning of tax year (a)	Beginning of tax year (b)	End of tax year (c)	End of tax year (d)
1 Cash				
2a Trade notes and accounts receivable				
b Less allowance for bad debts	( )		( )	
3 Inventories				
4 U.S. government obligations				
5 Tax-exempt securities (see instructions)				
6 Other current assets (attach schedule)				
7 Loans to shareholders				
8 Mortgage and real estate loans				
9 Other investments (attach schedule)				
10a Buildings and other depreciable assets				
b Less accumulated depreciation	( )		( )	
11a Depletable assets				
b Less accumulated depletion	( )		( )	
12 Land (net of any amortization)				
13a Intangible assets (amortizable only)				
b Less accumulated amortization	( )		( )	
14 Other assets (attach schedule)				
15 Total assets				
Liabilities and Shareholders' Equity				
16 Accounts payable				
17 Mortgages, notes, bonds payable in less than 1 year				
18 Insurance liabilities (see instructions)				
19 Other current liabilities (attach schedule)				
20 Loans from shareholders				
21 Mortgages, notes, bonds payable in 1 year or more				
22 Other liabilities (attach schedule)				
23 Capital stock: a Preferred stock				
b Common stock				
24 Additional paid-in capital				
25 Retained earnings—Appropriated (attach schedule)				
26 Retained earnings—Unappropriated				
27 Adjustments to shareholders' equity (attach schedule)				
28 Less cost of treasury stock		( )		( )
29 Total liabilities and shareholders' equity				

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Schedule M-1 Reconciliation of Income (Loss) per Books with Income (Loss) per Return

Note: Schedule M-3 required instead of Schedule M-1 if total assets are $10 million or more—See instructions.

1	Net income (loss) per books	7	Income recorded on books this year not included in this return (itemize)
2	Federal income tax per books	a	Tax-exempt interest $
3	Excess of capital losses over capital gains	8	Deductions in this tax return not charged against book income this year (itemize)
4	Income subject to tax not recorded on books this year (itemize)	a	Depreciation $
5	Expenses recorded on books this year not deducted in this return (itemize)	b	Charitable contributions $
a	Depreciation $	9	Add lines 7 and 8
b	Charitable contributions $	10	Income (Schedule A, line 35 or Schedule B, line 19, if applicable)—line 6 less line 9
c	Travel and entertainment $		
6	Add lines 1 through 5		

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (line 26, Schedule L)

1	Balance at beginning of year	5	Distributions: a Cash
2	Net income (loss) per books		b Stock
3	Other increases (itemize)		c Property
		6	Other decreases (itemize)
		7	Add lines 5 and 6
4	Add lines 1, 2, and 3	8	Balance at end of year (line 4 less line 7)