

Form **8801**

**Credit for Prior Year Minimum Tax—  
Individuals, Estates, and Trusts**

OMB No. 1545-1073

**2010**  
Attachment  
Sequence No. **74**

Department of the Treasury  
Internal Revenue Service (99)

▶ See separate instructions.  
▶ Attach to Form 1040, 1040NR, or 1041.

Name(s) shown on return

Identifying number

**Part I Net Minimum Tax on Exclusion Items**

1	Combine lines 1, 6, 7, and 11 of your 2009 Form 6251. Estates and trusts, see instructions . . . . .	1	
2	Enter adjustments and preferences treated as exclusion items (see instructions) . . . . .	2	
3	Minimum tax credit net operating loss deduction (see instructions) . . . . .	3	(            )
4	Combine lines 1, 2, and 3. If zero or less, enter -0- here and on line 15 and go to Part II. If more than \$216,900 and you were married filing separately for 2009, see instructions . . . . .	4	
5	Enter: \$70,950 if married filing jointly or qualifying widow(er) for 2009; \$46,700 if single or head of household for 2009; or \$35,475 if married filing separately for 2009. Estates and trusts, enter \$22,500	5	
6	Enter: \$150,000 if married filing jointly or qualifying widow(er) for 2009; \$112,500 if single or head of household for 2009; or \$75,000 if married filing separately for 2009. Estates and trusts, enter \$75,000 . . . . .	6	
7	Subtract line 6 from line 4. If zero or less, enter -0- here and on line 8 and go to line 9 . . . . .	7	
8	Multiply line 7 by 25% (.25) . . . . .	8	
9	Subtract line 8 from line 5. If zero or less, enter -0-. If under age 24 at the end of 2009, see instructions	9	
10	Subtract line 9 from line 4. If zero or less, enter -0- here and on line 15 and go to Part II. Form 1040NR filers, see instructions . . . . .	10	
11	<ul style="list-style-type: none"> <li>• If for 2009 you filed Form 2555 or 2555-EZ, see page 2 of the instructions for the amount to enter.</li> <li>• If for 2009 you reported capital gain distributions directly on Form 1040, line 13; you reported qualified dividends on Form 1040, line 9b (Form 1041, line 2b(2)); or you had a gain on both lines 15 and 16 of Schedule D (Form 1040) (lines 14a and 15, column (2), of Schedule D (Form 1041)), complete Part III of Form 8801 and enter the amount from line 47 here. Form 1040NR filers, see instructions.</li> <li>• <b>All others:</b> If line 10 is \$175,000 or less (\$87,500 or less if married filing separately for 2009), multiply line 10 by 26% (.26). Otherwise, multiply line 10 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2009) from the result. Form 1040NR filers, see instructions.</li> </ul>	11	
12	Minimum tax foreign tax credit on exclusion items (see instructions) . . . . .	12	
13	Tentative minimum tax on exclusion items. Subtract line 12 from line 11 . . . . .	13	
14	Enter the amount from your 2009 Form 6251, line 35, or 2009 Form 1041, Schedule I, line 55 . . . . .	14	
15	<b>Net minimum tax on exclusion items.</b> Subtract line 14 from line 13. If zero or less, enter -0- . . . . .	15	

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**Part II Current Year Nonrefundable and Refundable Credits and Carryforward to 2011**

16	Enter the amount from your 2009 Form 6251, line 36, or 2009 Form 1041, Schedule I, line 56 . . .	16		
17	Enter the amount from line 15 . . . . .	17		
18	Subtract line 17 from line 16. If less than zero, enter as a negative amount . . . . .	18		
19	<b>2009 credit carryforward.</b> Enter the amount from your 2009 Form 8801, line 30 . . . . .	19		
20	Enter your 2009 unallowed qualified electric vehicle credit (see instructions) . . . . .	20		
21	Combine lines 18 through 20. If zero or less, <b>stop here and see the instructions</b> . . . . .	21		
22	Enter your 2010 regular income tax liability minus allowable credits (see instructions) . . . . .	22		
23	Enter the amount from your 2010 Form 6251, line 33, or 2010 Form 1041, Schedule I, line 54 . . . . .	23		
24	Subtract line 23 from line 22. If zero or less, enter -0- . . . . .	24		
25	<b>Current year nonrefundable credit.</b> Enter the <b>smaller</b> of line 21 or line 24. Also enter this amount on your 2010 Form 1040, line 53 (check box <b>b</b> ); Form 1040NR, line 50 (check box <b>b</b> ); or Form 1041, Schedule G, line 2c . . . . .	25		
26	<ul style="list-style-type: none"> <li>• <b>Estates and trusts:</b> Leave lines 26 and 27 blank and go to line 28.</li> <li>• <b>Individuals:</b> Did you have a minimum tax credit carryforward to 2008 (on your 2007 Form 8801, line 28)?</li> </ul>			
26	<input type="checkbox"/> <b>No.</b> Leave lines 26 and 27 blank and go to line 28.			
26	<input type="checkbox"/> <b>Yes.</b> Complete Part IV of Form 8801 to figure the amount to enter . . . . .	26		
27	Is line 26 more than line 25?			
27	<input type="checkbox"/> <b>No.</b> Leave line 27 blank and go to line 28.			
27	<input type="checkbox"/> <b>Yes.</b> Subtract line 25 from line 26. This is your <b>current year refundable credit</b> . Enter the result here and on your 2010 Form 1040, line 71 (check box <b>c</b> ), or Form 1040NR, line 66 (check box <b>c</b> ) . . . . .	27		
28	<b>Credit carryforward to 2011.</b> Subtract the larger of line 25 or line 26 from line 21. Keep a record of this amount because you may use it in future years . . . . .	28		

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**Part III Tax Computation Using Maximum Capital Gains Rates**

**Caution.** If you did not complete the 2009 Qualified Dividends and Capital Gain Tax Worksheet, the 2009 Schedule D Tax Worksheet, or Part V of the 2009 Schedule D (Form 1041), see the instructions before completing this part.

**29** Enter the amount from Form 8801, line 10. If you filed Form 2555 or 2555-EZ for 2009, enter the amount from line 3 of the worksheet on page 2 of the instructions . . . . . **29**

**Caution.** If for 2009 you filed Form 1040NR, 1041, 2555, or 2555-EZ, see the instructions before completing lines 30, 31, and 32.

**30** Enter the amount from line 6 of your 2009 Qualified Dividends and Capital Gain Tax Worksheet, the amount from line 13 of your 2009 Schedule D Tax Worksheet, or the amount from line 22 of the 2009 Schedule D (Form 1041), whichever applies\* . . . . . **30**

**If you figured your 2009 tax using the 2009 Qualified Dividends and Capital Gain Tax Worksheet, skip line 31 and enter the amount from line 30 on line 32. Otherwise, go to line 31.**

**31** Enter the amount from line 19 of your 2009 Schedule D (Form 1040), or line 14b, column (2), of the 2009 Schedule D (Form 1041) . . . . . **31**

**32** Add lines 30 and 31, and enter the **smaller** of that result or the amount from line 10 of your 2009 Schedule D Tax Worksheet . . . . . **32**

**33** Enter the **smaller** of line 29 or line 32 . . . . . **33**

**34** Subtract line 33 from line 29 . . . . . **34**

**35** If line 34 is \$175,000 or less (\$87,500 or less if married filing separately for 2009), multiply line 34 by 26% (.26). Otherwise, multiply line 34 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2009) from the result. Form 1040NR filers, see instructions . . . . . **35**

**36** Enter:  
 • \$67,900 if married filing jointly or qualifying widow(er) for 2009,  
 • \$33,950 if single or married filing separately for 2009,  
 • \$45,500 if head of household for 2009, or  
 • \$2,300 for an estate or trust.  
 Form 1040NR filers, see instructions . . . . . **36**

**37** Enter the amount from line 7 of your 2009 Qualified Dividends and Capital Gain Tax Worksheet, the amount from line 14 of your 2009 Schedule D Tax Worksheet, or the amount from line 23 of the 2009 Schedule D (Form 1041), whichever applies. If you did not complete either worksheet or Part V of the 2009 Schedule D (Form 1041), enter -0-. Form 1040NR filers, see instructions . . . . . **37**

**38** Subtract line 37 from line 36. If zero or less, enter -0- . . . . . **38**

**39** Enter the **smaller** of line 29 or line 30 . . . . . **39**

**40** Enter the **smaller** of line 38 or line 39 . . . . . **40**

**41** Subtract line 40 from line 39 . . . . . **41**

**42** Multiply line 41 by 15% (.15) . . . . . **42**

**If line 31 is zero or blank, skip lines 43 and 44 and go to line 45. Otherwise, go to line 43.**

**43** Subtract line 39 from line 33 . . . . . **43**

**44** Multiply line 43 by 25% (.25) . . . . . **44**

**45** Add lines 35, 42, and 44 . . . . . **45**

**46** If line 29 is \$175,000 or less (\$87,500 or less if married filing separately for 2009), multiply line 29 by 26% (.26). Otherwise, multiply line 29 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2009) from the result. Form 1040NR filers, see instructions . . . . . **46**

**47** Enter the **smaller** of line 45 or line 46 here and on line 11. If you filed Form 2555 or 2555-EZ for 2009, do not enter this amount on line 11. Instead, enter it on line 4 of the worksheet on page 2 of the instructions . . . . . **47**

\* The 2009 Qualified Dividends and Capital Gain Tax Worksheet is on page 39 of the 2009 Instructions for Form 1040. The 2009 Schedule D Tax Worksheet is on page D-10 of the 2009 Instructions for Schedule D (Form 1040) (page 8 of the 2009 Instructions for Schedule D (Form 1041)).

**Part IV Tentative Refundable Credit**

48	Enter the amount from line 21 . . . . .	48		
49	Enter the total of lines 18 and 20 from your 2008 Form 8801. If zero or less, enter -0- . . . . .	49		
50	Enter the total of lines 18 and 20 from your 2009 Form 8801. If zero or less, enter -0- . . . . .	50		
51	Enter the total of lines 18 and 20 from your 2010 Form 8801. If zero or less, enter -0- . . . . .	51		
52	Add lines 49 through 51 . . . . .	52		
53	<b>Long-term unused minimum tax credit.</b> Subtract line 52 from line 48 (If zero or less, enter -0- here and on line 26. <b>Do not complete the rest of Part IV</b> ) . . . . .	53		
54	Multiply line 53 by 50% (.50) . . . . .	54		
55	Enter the amount from your 2009 Form 8801, line 59. . . . .	55		
56	Enter the <b>larger</b> of line 54 or line 55 . . . . .	56		
57	Enter the <b>smaller</b> of line 53 or line 56. Enter the result here and on line 26 . . . . .	57		

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