Form **2553** (Rev. December 2007)

#### Department of the Treasury Internal Revenue Service

# **Election by a Small Business Corporation**

(Under section 1362 of the Internal Revenue Code)

OMB No. 1545-0146

	See Parts II and III on page 3 and the separate instructions.
►	The corporation can fax this form to the IRS (see separate instructions).

Note. This election to be an S corporation can be accepted only if all the tests are met under Who May Elect on page 1 of the instructions; all shareholders have signed the consent statement; an officer has signed below; and the exact name and address of the corporation and other required form information are provided.

Ρ	art I	Election Information		
		Name (see instructions)	Α	Employer identification number
	vpe Print	Number, street, and room or suite no. (If a P.O. box, see instructions.)	в	Date incorporated
		City or town, state, and ZIP code	С	State of incorporation
D	Check	he applicable box(es) if the corporation, after applying for the EIN shown in <b>A</b> above, change	ed	its 🗌 name or 🗌 address
E		n is to be effective for tax year beginning (month, day, year) (see instructions)		► / /
	Cautio	n. A corporation (entity) making the election for its first tax year in existence will usuall	уе	enter the
	beginn	ng date of a short tax year that begins on a date other than January 1.		
F	Selecte	d tax year:		
	(1)	Calendar year		
	(2)	Fiscal year ending (month and day) ►		
	(3)	52-53-week year ending with reference to the month of December		
	(4)	52-53-week year ending with reference to the month of ►		
	lf box (	2) or (4) is checked, complete Part II		
G		than 100 shareholders are listed for item J (see page 2), check this box if treating molder results in no more than 100 shareholders (see test 2 under <b>Who May Elect</b> in the		
Η	Name	and title of officer or legal representative who the IRS may call for more information	I	Telephone number of officer or legal representative
		der penalties of perjury, I declare that I have examined this election, including accompanying schedules and statements, a e, correct, and complete.	and f	to the best of my knowledge and belief, it is
		Signature of officer Title		Date
				0550

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Part I Election In	formation (continued)					
J Name and address of each shareholder or former shareholder required to consent to the election.	K Shareholders' Consent Statemen Under penalties of perjury, we declare that we election of the above-named corporation to be a under section 1362(a) and that we have examin statement, including accompanying schedules a	L Stock ow percentage o (see instru	f ownership	M Social security number or employer identification number (see instructions)	N Shareholder's tax year ends (month and day)	
(See the instructions for column K.)	and to the best of our knowledge and belief, it is complete. We understand our consent is binding withdrawn after the corporation has made a vali and date below.)	Number of shares or percentage of ownership	Date(s) acquired			
	Signature Date C					

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## Part II Selection of Fiscal Tax Year (see instructions)

### Note. All corporations using this part must complete item O and item P, Q, or R.

- O Check the applicable box to indicate whether the corporation is:
  - 1. A new corporation adopting the tax year entered in item F, Part I.
  - 2. An existing corporation retaining the tax year entered in item F, Part I.
  - 3. An existing corporation changing to the tax year entered in item F, Part I.
- P Complete item P if the corporation is using the automatic approval provisions of Rev. Proc. 2006-46, 2006-45 I.R.B. 859, to request (1) a natural business year (as defined in section 5.07 of Rev. Proc. 2006-46) or (2) a year that satisfies the ownership tax year test (as defined in section 5.08 of Rev. Proc. 2006-46). Check the applicable box below to indicate the representation statement the corporation is making.

**1.** Natural Business Year  $\triangleright$   $\Box$  I represent that the corporation is adopting, retaining, or changing to a tax year that qualifies as its natural business year (as defined in section 5.07 of Rev. Proc. 2006-46) and has attached a statement showing separately for each month the gross receipts for the most recent 47 months (see instructions). I also represent that the corporation is not precluded by section 4.02 of Rev. Proc. 2006-46 from obtaining automatic approval of such adoption, retention, or change in tax year.

**2.** Ownership Tax Year  $\blacktriangleright$  [] I represent that shareholders (as described in section 5.08 of Rev. Proc. 2006-46) holding more than half of the shares of the stock (as of the first day of the tax year to which the request relates) of the corporation have the same tax year or are concurrently changing to the tax year that the corporation adopts, retains, or changes to per item F, Part I, and that such tax year satisfies the requirement of section 4.01(3) of Rev. Proc. 2006-46. I also represent that the corporation is not precluded by section 4.02 of Rev. Proc. 2006-46 from obtaining automatic approval of such adoption, retention, or change in tax year.

**Note.** If you do not use item P and the corporation wants a fiscal tax year, complete either item Q or R below. Item Q is used to request a fiscal tax year based on a business purpose and to make a back-up section 444 election. Item R is used to make a regular section 444 election.

Q Business Purpose—To request a fiscal tax year based on a business purpose, check box Q1. See instructions for details including payment of a user fee. You may also check box Q2 and/or box Q3.

1. Check here ► □ if the fiscal year entered in item F, Part I, is requested under the prior approval provisions of Rev. Proc. 2002-39, 2002-22 I.R.B. 1046. Attach to Form 2553 a statement describing the relevant facts and circumstances and, if applicable, the gross receipts from sales and services necessary to establish a business purpose. See the instructions for details regarding the gross receipts from sales and services. If the IRS proposes to disapprove the requested fiscal year, do you want a conference with the IRS National Office?

🗌 Yes 🗌 No

2. Check here **b** to show that the corporation intends to make a back-up section 444 election in the event the corporation's business purpose request is not approved by the IRS. (See instructions for more information.)

3. Check here **b** is to show that the corporation agrees to adopt or change to a tax year ending December 31 if necessary for the IRS to accept this election for S corporation status in the event (1) the corporation's business purpose request is not approved and the corporation makes a back-up section 444 election, but is ultimately not qualified to make a section 444 election, or (2) the corporation's business purpose request is not approved and the corporation did not make a back-up section 444 election.

R Section 444 Election—To make a section 444 election, check box R1. You may also check box R2.

1. Check here **C** to show that the corporation will make, if qualified, a section 444 election to have the fiscal tax year shown in item F, Part I. To make the election, you must complete **Form 8716**, Election To Have a Tax Year Other Than a Required Tax Year, and either attach it to Form 2553 or file it separately.

2. Check here **b** is show that the corporation agrees to adopt or change to a tax year ending December 31 if necessary for the IRS to accept this election for S corporation status in the event the corporation is ultimately not qualified to make a section 444 election.

#### Part III Qualified Subchapter S Trust (QSST) Election Under Section 1361(d)(2)\*

Income beneficiary's name and add	ress			Social sec	curity nu	mber			
					1	1			
Trust's name and address				Employer identification number					
Date on which stock of the corporat	tion was transferred	to th	e trust (month day year)	•			/	/	

In order for the trust named above to be a QSST and thus a qualifying shareholder of the S corporation for which this Form 2553 is filed, I hereby make the election under section 1361(d)(2). Under penalties of perjury, I certify that the trust meets the definitional requirements of section 1361(d)(3) and that all other information provided in Part III is true, correct, and complete.

Signature of income beneficiary or signature and title of legal representative or other qualified person making the election

Date

\*Use Part III to make the QSST election only if stock of the corporation has been transferred to the trust on or before the date on which the corporation makes its election to be an S corporation. The QSST election must be made and filed separately if stock of the corporation is transferred to the trust **after** the date on which the corporation makes the S election.

