



# New York State Estate Tax Return

# ET-706

(4/06)

For office use only

For an estate of an individual who died on or after February 1, 2000 and before January 1, 2007

Check here if this is an amended return

Decedent's last name		First name	Middle initial	Social security number (SSN)	
Address of decedent at time of death (number and street)				Date of death	Check box if copy of death certificate is attached (see instr.) <input type="checkbox"/>
City, village, or post office		State	ZIP code	County of residence	
If the decedent was a nonresident of New York State (NYS) on the date of death, mark an <b>X</b> in this box and attach a completed Form ET-141, <i>New York State Estate Tax Domicile Affidavit</i> . <input type="checkbox"/>					
Employer identification number (EIN) of the estate			Name and EIN of any trusts created or funded by the will		
<b>Executor</b> – If you are submitting <i>Letters Testamentary</i> or <i>Letters of Administration</i> with this form, indicate in this box the type of letters. Enter <b>L</b> if regular, <b>LL</b> if limited letters. If you are not submitting letters with this form, enter <b>N</b> .					
<b>Surrogate's court</b> – If a proceeding for probate or administration has commenced in a surrogate's court in NYS, enter county.					

Attorney's or authorized representative's last name		First name	MI	Executor's last name		First name	MI
In care of (firm's name)		Check box if POA is attached <input type="checkbox"/>		If more than one executor, check box (see instructions) <input type="checkbox"/>			
Address of attorney or authorized representative				Address of executor			
City, village, or post office		State	ZIP code	City, village, or post office		State	ZIP code
SSN or PTIN of attorney or authorized rep.		Telephone number ( )		Social security number of executor		Telephone number ( )	

If the decedent possessed a cause of action or was a plaintiff in any litigation at the time of death, check this box and complete Schedule 3 on page 2 (see Form ET-706-I, Instructions for Form ET-706)

**Installment payments of tax for closely held business** — Do you elect to pay the tax in installments as described in IRC section 6166 (NYS Tax Law section 997)? If Yes, attach Form ET-415  Yes  No

If releases of lien are needed, attach Form(s) ET-117 (see instructions) and enter the number of counties here

**a** Is a federal estate tax return (either federal Form 706 or 706-NA) required to be filed with the IRS (see instr.)?  Yes  No  
**Note:** You must submit a completed federal estate tax return with this return, even when you are not required to file with the federal Internal Revenue Service.

**b Taxable estate for NYS** (from page 3, Schedule A, line 26, or page 4, Schedule B, line 43)

**c Gross federal estate tax for NYS** (from page 3, Schedule A, line 31, or page 4, Schedule B, line 48)

Tax computation

<b>1</b> NYS credit for state death taxes (from page 3, Schedule A, line 36, or page 4, Schedule B, line 51) .....	<b>1.</b>		
<b>2</b> If there is property outside NYS that is included in the federal gross estate, see instructions; otherwise enter <b>0</b> here and on lines 3, 5, 6, and 7, and enter the amount from line 1 on line 8 .....	<b>2.</b>		
<b>3 Residents</b> enter amount from page 2, Sch. 1, line 14; <b>nonresidents</b> enter amount from page 2, Sch. 2, line 19	<b>3.</b>		
<b>4</b> Total gross estate, less exclusion, for NYS (from page 3, Schedule A, line 22, or page 4, Schedule B, line 39) ...	<b>4.</b>		
<b>5</b> Divide line 3 by line 4 (round the result to the fourth decimal place). The result should not be greater than 1.0	<b>5.</b>		
<b>6</b> Multiply the amount on line 1 by the decimal on line 5 (round to nearest cent) .....	<b>6.</b>		
<b>7</b> Enter the lesser of line 2 or line 6, if any; otherwise enter <b>0</b> .....	<b>7.</b>		
<b>8</b> NYS estate tax (subtract the amount on line 7 from the amount on line 1) .....	<b>8.</b>		
<b>9</b> Prior tax payments to NYS, if any (attach a schedule of dates and amounts) .....	<b>9.</b>		
<b>10</b> If line 9 is less than line 8, subtract line 9 from line 8. This is the <b>amount you owe</b> .....	<b>10.</b>		
<b>11</b> If line 9 is greater than line 8, subtract line 8 from line 9. This is the amount to be <b>refunded to you</b> .....	<b>11.</b>		

**If an attorney or authorized representative is listed above, he or she must complete the following declaration.**  
I declare that I have agreed to represent the executor(s) for the above estate, that I am authorized to receive tax information regarding the estate, and I am (check all that apply):  
 an attorney  a certified public accountant  an enrolled agent  
 a public accountant enrolled with the NYS Education Department

Signature of attorney or authorized representative	Date
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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. Furthermore, I/we, as executor(s) for this estate, authorize the person, if any, named as my/our representative on this return to receive confidential tax information regarding this estate.

Signature of executor	Date	Signature of co-executor	Date
Print name of preparer other than executor		Signature of preparer other than executor	
Address of preparer		City	State ZIP code

**Schedule 1 — Resident**

List below each item of real and tangible personal property **located outside NYS** that is included in the federal gross estate. Include the item number, the schedule of federal Form 706 on which it was reported, and the reported value of the property.

Item number	Description	Value
<b>12.</b>	Total value of property listed above .....	
<b>13.</b>	Property subject to a limited power of appointment created before September 1, 1930, includable in the NYS gross estate under NYS Tax Law section 957, if any ( <i>see instructions</i> ) .....	
<b>14.</b>	Subtract line 13 from line 12; enter the result here and on line 3 on the front page of this form .....	

**Schedule 2 — Nonresident**

**15.** Total gross estate for NYS (*from page 3, Schedule A, line 22, or page 4, Schedule B, line 39*) .....

List below each item of real and tangible personal property **located in NYS**. Include the item number, the schedule of federal Form 706 or 706-NA on which it was reported, and the reported value of the property.

Item number	Description	Value
<b>16.</b>	Total value of property listed above .....	
<b>17.</b>	Property subject to a limited power of appointment created before September 1, 1930, includable in the NYS gross estate under NYS Tax Law section 957, if any ( <i>see instructions</i> ) .....	
<b>18.</b>	Add lines 16 and 17 .....	
<b>19.</b>	Subtract line 18 from line 15; enter the result here and on line 3 on the front page of this form .....	

**Schedule 3 — Description of litigation or cause of action**

In the area provided below, describe any litigation in which the decedent was a plaintiff, or litigation that is pending or contemplated on behalf of the decedent. Include the actual or estimated values of such litigation (*see Form ET-706-I, Litigation information*).

This return **must be filed within nine months** after the date of death unless an extension of time to file the return has been granted.

Mail your return and payment (if any) to: **NYS ESTATE TAX, PROCESSING CENTER, PO BOX 5556, NEW YORK NY 10087-5556**

If you use a private delivery service, you must mail the return and payment to a different address listed in Publication 55 (*see Private Delivery Services in the instructions*)

**Reminders:** Sign the front page of this return. If there is an amount due on line 10, make check payable to the **Commissioner of Taxation and Finance**. Attach a completed copy of the federal estate tax return along with any accompanying schedules and supplementary information.

Before completing Schedule A or B, see *Schedule A or B* on page 4 of Form ET-706-I.

**Schedule A — Computation of federal estate tax for NYS and maximum NYS credit for state death taxes**

**Note:** References to lines on federal Form 706 are to the August 2005 version of that form, except as noted in Form ET-706-I.

<b>20</b>	Amount from federal Form 706, page 3, Part 5, line 10 .....	<b>20.</b>		
<b>21</b>	If the estate elected the qualified conservation easement exclusion on the federal estate tax return, and the exclusion qualifies for NYS estate tax purposes, enter the amount from federal Form 706, page 3, Part 5, line 11 .....	<b>21.</b>		
<b>22</b>	Total gross estate, less exclusion, for NYS (subtract line 21 from line 20; also enter this amount on line 4 on the front page of this form) .....	<b>22.</b>		
<b>23</b>	Total allowable federal deductions (from federal Form 706, page 1, Part 2, line 2) .....	<b>23.</b>		
<b>24</b>	Family-owned business interest deduction elected for NYS - for dates of death after 2003 only (see instr.) ...	<b>24.</b>		
<b>25</b>	Total allowable deductions for NYS (add lines 23 and 24) .....	<b>25.</b>		
<b>26</b>	Taxable estate for NYS (subtract line 25 from line 22; enter here and on item b on the front page of this form) .....	<b>26.</b>		
<b>27</b>	Adjusted taxable gifts (from federal Form 706, page 1, Part 2, line 4) .....	<b>27.</b>		
<b>28</b>	Add lines 26 and 27 .....	<b>28.</b>		
<b>29</b>	Tentative tax on amount on line 28 (from Table A on page 4 of this form) .....	<b>29.</b>		
<b>30</b>	Total federal gift tax payable (from line 5 of Line 30 worksheet below) .....	<b>30.</b>		
<b>31</b>	Gross federal estate tax for NYS (subtract line 30 from line 29; enter here and on item c on the front page of this form) .....	<b>31.</b>		
<b>32</b>	Maximum NYS unified credit (see instructions; do not enter more than \$345,800) .....	<b>32.</b>		
<b>33</b>	Adjustment to unified credit (from federal Form 706, page 1, Part 2, line 10), if any .....	<b>33.</b>		
<b>34</b>	Allowable NYS unified credit (subtract line 33 from line 32) .....	<b>34.</b>		
<b>35</b>	Subtract line 34 from line 31 (if zero or less, enter 0) .....	<b>35.</b>		
<b>36</b>	Amount of maximum NYS credit for state death taxes from Table B on page 4 of this form (if more than the amount on line 35, enter the line 35 amount here and on line 1 on the front page of this form) .....	<b>36.</b>		

**Line 30 worksheet — federal gift tax on gifts made after 1976 – for dates of death after 2001**

For dates of death after 2001, the maximum federal estate tax rates are reduced. Since the prior rate schedule (Table A on page 4) is used to calculate the NYS estate tax, the recalculation of the amount on federal Form 706 (8/05), page 1, Part 2, line 7, may result in a larger amount reportable on line 30 of Schedule A. A larger amount on line 30 results in a lower gross tax on line 31 and possibly a lower NYS estate tax overall.

If the date of death was before 2002, do not complete this worksheet. Instead, enter on line 30 of Schedule A the amount from federal Form 706, page 1, Part 2, line 9.

**Columns b and c** — In addition to gifts reported on federal Form 709, *United States Gift (and Generation-Skipping Transfer) Tax Return*, you must include in these columns any taxable gifts in excess of the annual exclusion that were not reported on federal Form 709.

**Column d** — Tax payable as used here may not necessarily reflect tax actually paid. Figure tax payable only on gifts made after 1976. Do not include any tax paid or payable on gifts made before 1977. Pre-1977 gifts are listed only to exclude them from the calculation.

To figure the tax payable, enter the amount for the appropriate year from column c of the worksheet on federal Form 709, page 1, Part 2, line 1. Enter the amount from column b on federal Form 709, page 1, Part 2, line 2. Using Table A, *Unified rate schedule*, on page 4, complete federal Form 709, page 1, Part 2, through line 6 and enter that amount in column d below for each year.

**Column e** — To figure the unused unified credit (applicable credit amount), use the unified credit (applicable credit amount) in effect for the year the gift was made. This amount should be on the federal Form 709, page 1, Part 2, line 12, that was filed for the gift.

**Note:** For columns a, b, and c, and lines 2 and 4, enter amounts from federal *Instructions for Form 706 (8/05)*, page 5, Line 7 Worksheet.

<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>	<b>e</b>	<b>f</b>
Calendar year or calendar quarter	Total taxable gifts for prior periods (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column b)	Taxable gifts for this period (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column c)	Tax payable using Table A (see page 4 of this form)	Unused unified credit (applicable credit amount for this period) (see instructions above)	Tax payable for this period (subtract column e from column d)
Total pre-1977 taxable gifts (from federal Instructions for Form 706 (8/05), page 5, Line 7 Worksheet, column b)					
<b>1</b>	Total gift taxes payable on gifts made after 1976 (combine the amounts in column f) .....				<b>1.</b>
<b>2</b>	Gift taxes paid by the decedent on gifts that qualify for special treatment (from federal Instructions for Form 706 (8/05), page 5, line 2, Line 7 Worksheet) .....				<b>2.</b>
<b>3</b>	Subtract line 2 from line 1 .....				<b>3.</b>
<b>4</b>	Gift tax paid by decedent's spouse on split gifts included on federal Form 706, Schedule G (from federal Instructions for Form 706 (8/05), page 5, line 4, Line 7 Worksheet) .....				<b>4.</b>
<b>5</b>	Add lines 3 and 4 (enter here and on Schedule A, line 30, above) .....				<b>5.</b>

**Schedule B — Computation of federal estate tax for NYS and maximum NYS credit for state death taxes**

**Note:** References to lines on federal Form 706-NA are to the September 2005 version.

37	Amount from federal Form 706-NA, page 2, Schedule B, line 1 .....	37.		
38	If the estate elected the qualified conservation easement exclusion on the federal estate tax return, Form 706-NA, and the exclusion <b>does not</b> qualify for NYS estate tax purposes, enter the amount from federal Form 706, page 38, <i>Schedule U</i> , line 20 .....	38.		
39	Total gross estate, less exclusion, for NYS ( <i>add amounts on lines 37 and 38; enter here and on line 4 on the front page of this form</i> ) .....	39.		
40	Total federal deductions ( <i>from federal Form 706-NA, page 2, Schedule B, line 8</i> ) .....	40.		
41	State death tax deduction ( <i>from Federal Form 706-NA, page 2, Schedule B, line 7</i> ), if any .....	41.		
42	Total deduction for NYS ( <i>subtract line 41 from line 40</i> ) .....	42.		
43	Taxable estate for NYS ( <i>subtract line 42 from line 39; enter here and on item b on the front page of this form</i> ) .....	43.		
44	Total taxable gifts ( <i>from federal Form 706-NA, page 1, Part II, line 2</i> ) .....	44.		
45	Add lines 43 and 44 .....	45.		
46	Tax on amount on line 45 ( <i>from Table A below</i> ) .....	46.		
47	Tax on amount on line 44 ( <i>from Table A below</i> ) .....	47.		
48	Gross federal estate tax for NYS ( <i>subtract line 47 from line 46; enter here and on item c on the front page of this form</i> ) .....	48.		
49	Allowable NYS unified credit ( <i>see instructions</i> ) .....	49.		
50	Subtract line 49 from line 48 ( <i>if zero or less, enter 0</i> ) .....	50.		
51	Amount of maximum NYS credit for state death taxes from Table B below ( <i>if more than the amount on line 50, enter the line 50 amount here and on line 1 on the front page of this form</i> ) .....	51.		

**Table A — Unified rate schedule**

If the taxable amount is:

over	but not over	tax is
\$ 0	\$ 10,000	18% of taxable amount
10,000	20,000	\$ 1,800 plus 20% of amount over 10,000
20,000	40,000	3,800 plus 22% of amount over 20,000
40,000	60,000	8,200 plus 24% of amount over 40,000
60,000	80,000	13,000 plus 26% of amount over 60,000
80,000	100,000	18,200 plus 28% of amount over 80,000
100,000	150,000	23,800 plus 30% of amount over 100,000
150,000	250,000	38,800 plus 32% of amount over 150,000
250,000	500,000	70,800 plus 34% of amount over 250,000
500,000	750,000	155,800 plus 37% of amount over 500,000
750,000	1,000,000	248,300 plus 39% of amount over 750,000
1,000,000	1,250,000	345,800 plus 41% of amount over 1,000,000
1,250,000	1,500,000	448,300 plus 43% of amount over 1,250,000
1,500,000	2,000,000	555,800 plus 45% of amount over 1,500,000
2,000,000	2,500,000	780,800 plus 49% of amount over 2,000,000
2,500,000	3,000,000	1,025,800 plus 53% of amount over 2,500,000
3,000,000	10,000,000	1,290,800 plus 55% of amount over 3,000,000
10,000,000	17,184,000	5,140,800 plus 60% of amount over 10,000,000
17,184,000	-----	9,451,200 plus 55% of amount over 17,184,000

**Table B worksheet**

**Adjusted taxable estate for NYS**

- Taxable estate for New York State (*from Schedule A, line 26, or Schedule B, line 43*) ..... 1. \$ \_\_\_\_\_
- Adjustment ..... 2. 60,000
- Adjusted taxable estate for New York State (*subtract line 2 from line 1*) ..... 3. \_\_\_\_\_

Use this amount to compute maximum credit for state death taxes in Table B below.

**Table B — Computation of maximum NYS credit for state death taxes**

(based on federal adjusted taxable estate for NYS computed using the Table B worksheet above)

If the amount from Table B worksheet, line 3 is:

over	but not over	credit is
\$ 40,000	\$ 90,000	0.8% of amount over \$ 40,000
90,000	140,000	\$ 400 plus 1.6% of amount over 90,000
140,000	240,000	1,200 plus 2.4% of amount over 140,000
240,000	440,000	3,600 plus 3.2% of amount over 240,000
440,000	640,000	10,000 plus 4.0% of amount over 440,000
640,000	840,000	18,000 plus 4.8% of amount over 640,000
840,000	1,040,000	27,600 plus 5.6% of amount over 840,000
1,040,000	1,540,000	38,800 plus 6.4% of amount over 1,040,000
1,540,000	2,040,000	70,800 plus 7.2% of amount over 1,540,000
2,040,000	2,540,000	106,800 plus 8.0% of amount over 2,040,000
2,540,000	3,040,000	146,800 plus 8.8% of amount over 2,540,000
3,040,000	3,540,000	190,800 plus 9.6% of amount over 3,040,000
3,540,000	4,040,000	238,800 plus 10.4% of amount over 3,540,000
4,040,000	5,040,000	290,800 plus 11.2% of amount over 4,040,000
5,040,000	6,040,000	402,800 plus 12.0% of amount over 5,040,000
6,040,000	7,040,000	522,800 plus 12.8% of amount over 6,040,000
7,040,000	8,040,000	650,800 plus 13.6% of amount over 7,040,000
8,040,000	9,040,000	786,800 plus 14.4% of amount over 8,040,000
9,040,000	10,040,000	930,800 plus 15.2% of amount over 9,040,000
10,040,000	-----	1,082,800 plus 16.0% of amount over 10,040,000