

## NONRESIDENT OWNER'S OR REMITTEE'S AGREEMENT TO PAY WITHHOLDING ON BEHALF OF A PASS-THROUGH ENTITY OR REMITTER

OWNER OR REMITTEE NAME AND MAILING ADDRESS	PASS-THROUGH ENTITY OR REMITTER'S (Payor) NAME AND MAILING ADDRESS
Name	Name
Street or other mailing address	Street or other mailing address
City, state and zip code	City, state and zip code
Federal employer identification number Check one: <input type="checkbox"/> FEIN <input type="checkbox"/> SSN	Federal employer identification number Check one: <input type="checkbox"/> FEIN <input type="checkbox"/> SSN

**Effective period of agreement:**  
*You must check one:*  
 Current Year       Continuous       Through \_\_\_\_\_

**Enter first taxable year of agreement period election:** Beginning \_\_\_\_\_, ending \_\_\_\_\_

This agreement is valid until revoked or amended by the remitter and the pass-through entity.

A remitter may enter into an agreement with a nonresident remittee that the remittee will remit to the Taxation and Revenue Department at the time and in the manner required by the Department the amounts that the remitter is required to withhold and remit with respect to payments to the remittee. Similarly, a pass-through entity may enter into an agreement with an owner that the nonresident owner will remit to the Department the amounts that the pass-through entity is required to withhold and remit with respect to payments to the owner. The agreement must be in the remitter's or pass-through entity's possession at the time it files its return for the tax year to which the agreement pertains. The agreement may remain in effect for a single tax year, multiple tax years, or an indefinite term, and may be revoked or amended on mutual agreement of the parties. When a nonresident owner becomes a resident of New Mexico, the agreement submitted by that owner is revoked automatically, effective for the tax year in which the change in residence took place.

Remittances to the Department pursuant to this agreement may be counted towards the corporate income tax or personal income tax liability of remittee's or owner's estimated tax liability, and may not be credited to the estimated tax due by the remitter or the pass-through entity.

If the remittee or the owner does not make the required payments as agreed, the remitter or the pass-through entity will be notified and the remitter or pass-through entity will be liable for the payments. The remitter or pass-through entity is liable for the withholding tax unless the remittee or owner pays the tax due against which the required amounts would have been credited is paid.

Do not submit this agreement to the Department. The agreement must be retained in the remitter's or the pass-through entity's records. The remitter or pass-through entity may be required to furnish a true and correct copy of this agreement upon the Department's request.

<b>The signature of both parties is required:</b>	
Owner or remittee's signature _____	Date _____
Title _____	
Pass-through entity or remitter's signature _____	Date _____
Title _____	