



A) Purpose of Form

This form provides directions for designating an individual as an "Affected Business Entity Representative" when completing the Power of Attorney ([Form 2827](#)). Once properly designated, the Affected Business Entity Representative has sole authority to act on behalf of an affected business entity with respect to actions permitted or required under Missouri's SALT Parity Act ([Section 143.436, RSMo](#)), and is authorized to receive confidential tax information of the affected business entity and its members for purposes of complying with the SALT Parity Act and participating in certain proceedings.

B) Representative(s)

Enter the designated person's name, address, phone number, and email address on page 1. A Form 2827 lacking ineffective this information could result in the disallowance of the person being designated as an Affected Business Entity Representative.

C) Tax Type(s)

Select "Pass-through Entity Tax" as the Tax Type on page 1.

D) Year(s) and Period(s)

Enter the Pass-Through Entity Tax years for which this individual will be designated as an Affected Business Entity Representative on page 1.

E) Declaration of Representative(s)

The Affected Business Entity Representative's information should be entered on section Declaration of Representative(s) on page 2. The representative must sign and add their title as "Affected Business Entity Representative".

F) Pass-through Entity Member(s)

A single officer, manager, or member of the partnership or S corporation who is authorized to designate an Affected Business Entity Representative must sign and date page 3, and is directed to enter their name, title, and telephone number. Alternatively, the partners or shareholders of the partnership or S corporation who together hold the majority of the voting power of the partnership or S corporation must sign and date page 3 and are directed to enter their names, titles, and telephone numbers. See examples below.

Examples for Designating an Affected Business Entity Representative

Example 1: Assume the bylaws of an S corporation, unanimously voted on and approved by all members of the S corporation, validly authorize the S corporation's Chief Financial Officer, John Doe, to take all actions on behalf of the S corporation pertaining to federal and state income taxes and to sign and execute all documents and filings appropriate for the S corporation pertaining to federal and state income taxes. John Doe is not a shareholder/member of the S corporation. To designate himself as the Affected Business Entity Representative for the S corporation's most recently completed tax year using Form 2827, John Doe first selects the Pass-Through Entity tax type and selects and enters the most recently completed tax year on page 1. John Doe then enters his information on the Representative(s) section, the Declaration of Representative(s) section (giving himself the title of "Affected Business Entity Representative"), and the Pass-through Entity Member(s) section on pages 1, 2, and 3. John Doe signs under the "Signature of Representative" box within the Declaration of Representative(s) section on page 2, and he signs and dates within the "Pass-through Entity Member(s)" box on page 3 (even though he is not a member of the S corporation). John Doe then emails the completed Form 2827 to corporate@dor.mo.gov.

Example 2: An S corporation has only one shareholder and is electing to become an affected business entity. There are no other officers or managers of the S corporation. The S corporation owner may elect to add themselves as the Affected Business Entity Representative. They will enter their information in the Representative(s) section on page 1. They will also enter and select the tax year for which they will be designated as an Affected Business Entity Representative on page 1, and selects the Pass-through Entity Tax type. They will enter their information, signature, and signature date on page 2, in the Declaration of Representative(s) section with a title of "Affected Business Entity Representative". They enter their information, signature, and signature date in the Pass-through Entity Member(s) section on page 3 authorizing themselves to be listed as the Affected Business Entity Representative.

Example 3: A partnership has only two partners, holding equal interests and voting power in the partnership. The partnership is electing to become an affected business entity. There are no officers or managers of the partnership, just the two equal partners. Assume the partnership agreement or similar document contains no provisions authorizing a particular partner to designate an Affected Business Entity Representative, and further assume that applicable law does not result in each partner being granted this authorization in the absence of such a provision. The partners would like to designate a particular tax preparer at a small tax preparation firm regularly used by the partnership as the Affected Business Entity Representative. The tax preparer who is intended to become an Affected Business Entity Representative will enter their information in the Representative(s) section on page 1, select the Pass-Through Entity Tax type, and enter the tax years for which he or she will be designated as an Affected Business Entity Representative. The tax preparer will sign, date, and enter their information on page 2, in the Declaration of Representative(s) section with a title of Affected Business Entity Representative. Both partners will sign, date, and enter their information on the Pass-through Entity Member(s) section on page 3.

Example 4: A pass-through entity is electing to become an affected business entity, and wishes to use the Form 2827 to both designate someone as having a Power of Attorney (POA) for the pass-through entity, as well as designating the pass-through entity's one owner as the Affected Business Entity Representative. The one owner is authorized by the pass-through entity to designate POAs to receive the entity's confidential tax information. The intended POA and the owner will enter their information in the Representative(s) section on page 1, select the Pass-Through Entity Tax type, and enter the tax years for which the intended POA will be a POA and for which the owner will be an Affected Business Entity Representative. The owner will fill out and sign the Signature section at the top of page 2. The intended POA and the owner will fill out their information, sign, and date in the Declaration of Representative(s) section on page 2; in this section, the owner will give himself or herself the title "Affected Business Entity Representative" while the POA will have a different title, if applicable (such as tax manager or accountant). The owner will enter the owner's information, and will sign and date, in the Pass-Through Entity Member(s) section on page 3, authorizing himself or herself as the pass-through entity's Affected Business Entity Representative.

Note: In the examples above, in lieu of signing on page 3 of Form 2827, an attachment that complies with the last sentence of 12 CSR 10-2.436(5)(B) may be used.

An Affected Business Entity Representative designation can only be removed by designating a new Affected Business Entity Representative for the same tax period. There can only be one Affected Business Entity Representative per tax period.