

**SENATE BILL NO. 236**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

**BY THE SENATE EDUCATION COMMITTEE**

**Introduced: 1/22/10**

**Referred: Education, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to tax credits for cash contributions by taxpayers that are accepted for**  
2 **certain educational purposes or for a college facility; and providing for an effective**  
3 **date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** AS 21.89.070(a) is amended to read:

6 (a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or  
7 AS 21.66.110 for cash contributions accepted

8 (1) for direct instruction, research, and educational support purposes,  
9 including library and museum acquisitions, and contributions to endowment, by an  
10 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
11 four-year college accredited by a regional accreditation association;

12 (2) for secondary school level vocational education courses and  
13 programs by a school district in the state; [AND]

14 (3) by a state-operated vocational technical education and training

1 school; and

2 (4) for a facility by a nonprofit, public or private, Alaska two-year  
 3 or four-year college.

4 \* **Sec. 2.** AS 21.89.070(b) is amended to read:

5 (b) The amount of the credit is [THE LESSER OF

6 (1)] an amount equal to

7 (1) [(A)] 50 percent of contributions of not more than \$100,000;

8 (2) [AND (B)] 100 percent of the next \$100,000 of contributions; and

9 (3) 50 percent of the amount of contributions that exceed \$200,000

10 [OR

11 (2) 50 PERCENT OF THE TAXPAYER'S TAX LIABILITY UNDER

12 THIS TITLE].

13 \* **Sec. 3.** AS 21.89.070(d) is amended to read:

14 (d) A contribution claimed as a credit under this section may not

15 [(1)] be claimed as a credit under more than one provision of this title

16 [; AND

17 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE

18 TAXPAYER'S TAX YEAR UNDER AS 21.89.075, AS 43.20.014, AS 43.55.019,

19 AS 43.56.018, AS 43.65.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000].

20 \* **Sec. 4.** AS 21.89.075(c) is amended to read:

21 (c) A contribution claimed by a taxpayer as a credit under this section may not

22 (1) be claimed as a credit under more than one provision of this title;

23 [(2) WHEN COMBINED WITH CREDITS TAKEN DURING THE

24 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, AS 43.20.014, AS 43.55.019,

25 AS 43.56.018, AS 43.65.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000;]

26 or

27 (2) [(3)] be claimed as a credit unless the contribution qualifies for the

28 credit under (d) of this section.

29 \* **Sec. 5.** AS 43.20.014(a) is amended to read:

30 (a) A taxpayer is allowed a credit against the tax due under this chapter for

31 cash contributions accepted

1 (1) for direct instruction, research, and educational support purposes,  
 2 including library and museum acquisitions, and contributions to endowment, by an  
 3 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
 4 four-year college accredited by a regional accreditation association;

5 (2) for secondary school level vocational education courses and  
 6 programs by a school district in the state; [AND]

7 (3) by a state-operated vocational technical education and training  
 8 school; **and**

9 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
 10 **or four-year college.**

11 \* **Sec. 6.** AS 43.20.014(b) is amended to read:

12 (b) The amount of the credit is

13 (1) 50 percent of contributions of not more than \$100,000; [AND]

14 (2) 100 percent of the next \$100,000 of contributions; **and**

15 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

16 \* **Sec. 7.** AS 43.20.014(d) is amended to read:

17 (d) A contribution claimed as a credit under this section may not

18 (1) be claimed as a credit under another provision of this title; **and**

19 (2) also be allowed as a deduction under 26 U.S.C. 170 against the tax  
 20 imposed by this chapter [; AND

21 (3) WHEN COMBINED WITH CREDITS TAKEN DURING THE  
 22 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.55.019,  
 23 AS 43.56.018, AS 43.65.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000].

24 \* **Sec. 8.** AS 43.55.019(a) is amended to read:

25 (a) A producer of oil or gas is allowed a credit against the tax due under this  
 26 chapter for cash contributions accepted

27 (1) for direct instruction, research, and educational support purposes,  
 28 including library and museum acquisitions, and contributions to endowment, by an  
 29 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
 30 four-year college accredited by a regional accreditation association;

31 (2) for secondary school level vocational education courses and

1 programs by a school district in the state; [AND]

2 (3) by a state-operated vocational technical education and training  
3 school; **and**

4 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
5 **or four-year college.**

6 \* **Sec. 9.** AS 43.55.019(b) is amended to read:

7 (b) The amount of the credit is

8 (1) 50 percent of contributions of not more than \$100,000; [AND]

9 (2) 100 percent of the next \$100,000 of contributions; **and**

10 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

11 \* **Sec. 10.** AS 43.55.019(d) is amended to read:

12 (d) A contribution claimed as a credit under this section may not

13 [(1)] be claimed as a credit under another provision of this title [; AND

14 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE  
15 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.20.014,  
16 AS 43.56.018, AS 43.65.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000].

17 \* **Sec. 11.** AS 43.56.018(a) is amended to read:

18 (a) The owner of property taxable under this chapter is allowed a credit  
19 against the tax due under this chapter for cash contributions accepted

20 (1) for direct instruction, research, and educational support purposes,  
21 including library and museum acquisitions, and contributions to endowment, by an  
22 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
23 four-year college accredited by a regional accreditation association;

24 (2) for secondary school level vocational education courses and  
25 programs by a school district in the state; [AND]

26 (3) by a state-operated vocational technical education and training  
27 school; **and**

28 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
29 **or four-year college.**

30 \* **Sec. 12.** AS 43.56.018(b) is amended to read:

31 (b) The amount of the credit is

1 (1) 50 percent of contributions of not more than \$100,000; [AND]

2 (2) 100 percent of the next \$100,000 of contributions; **and**

3 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

4 \* **Sec. 13.** AS 43.56.018(d) is amended to read:

5 (d) A contribution claimed as a credit under this section may not

6 [(1)] be claimed as a credit under another provision of this title [; AND

7 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE  
8 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.20.014,  
9 AS 43.55.019, AS 43.65.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000].

10 \* **Sec. 14.** AS 43.65.018(a) is amended to read:

11 (a) A person engaged in the business of mining in the state is allowed a credit  
12 against the tax due under this chapter for cash contributions accepted

13 (1) for direct instruction, research, and educational support purposes,  
14 including library and museum acquisitions, and contributions to endowment, by an  
15 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
16 four-year college accredited by a regional accreditation association;

17 (2) for secondary school level vocational education courses and  
18 programs by a school district in the state; [AND]

19 (3) by a state-operated vocational technical education and training  
20 school; **and**

21 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
22 **or four-year college.**

23 \* **Sec. 15.** AS 43.65.018(b) is amended to read:

24 (b) The amount of the credit is

25 (1) 50 percent of contributions of not more than \$100,000; [AND]

26 (2) 100 percent of the next \$100,000 of contributions; **and**

27 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

28 \* **Sec. 16.** AS 43.65.018(d) is amended to read:

29 (d) A contribution claimed as a credit under this section may not

30 [(1)] be claimed as a credit under another provision of this title [; AND

31 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE

1 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.20.014,  
2 AS 43.55.019, AS 43.56.018, AS 43.75.018, OR AS 43.77.045, EXCEED \$150,000].

3 \* **Sec. 17.** AS 43.75.018(a) is amended to read:

4 (a) A person engaged in a fisheries business is allowed a credit against the tax  
5 due under this chapter for cash contributions accepted

6 (1) for direct instruction, research, and educational support purposes,  
7 including library and museum acquisitions, and contributions to endowment, by an  
8 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
9 four-year college accredited by a regional accreditation association;

10 (2) for secondary school level vocational education courses and  
11 programs by a school district in the state; [AND]

12 (3) by a state-operated vocational technical education and training  
13 school; **and**

14 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
15 **or four-year college.**

16 \* **Sec. 18.** AS 43.75.018(b) is amended to read:

17 (b) The amount of the credit is

18 (1) 50 percent of contributions of not more than \$100,000; [AND]

19 (2) 100 percent of the next \$100,000 of contributions; **and**

20 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

21 \* **Sec. 19.** AS 43.75.018(d) is amended to read:

22 (d) A contribution claimed as a credit under this section may not

23 [(1)] be claimed as a credit under another provision of this title [; AND

24 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE  
25 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.20.014,  
26 AS 43.55.019, AS 43.56.018, AS 43.65.018, OR AS 43.77.045, EXCEED \$150,000].

27 \* **Sec. 20.** AS 43.77.045(a) is amended to read:

28 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in  
29 a floating fisheries business is allowed a credit against the tax due under this chapter  
30 for cash contributions accepted

31 (1) for direct instruction, research, and educational support purposes,

1 including library and museum acquisitions, and contributions to endowment, by an  
 2 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or  
 3 four-year college accredited by a regional accreditation association;

4 (2) for secondary school level vocational education courses and  
 5 programs by a school district in the state; [AND]

6 (3) by a state-operated vocational technical education and training  
 7 school; **and**

8 **(4) for a facility by a nonprofit, public or private, Alaska two-year**  
 9 **or four-year college.**

10 \* **Sec. 21.** AS 43.77.045(b) is amended to read:

11 (b) The amount of the credit is

12 (1) 50 percent of contributions of not more than \$100,000; [AND]

13 (2) 100 percent of the next \$100,000 of contributions; **and**

14 **(3) 50 percent of the amount of contributions that exceed \$200,000.**

15 \* **Sec. 22.** AS 43.77.045(d) is amended to read:

16 (d) A contribution claimed as a credit under this section may not

17 [(1)] be claimed as a credit under another provision of this title [; AND

18 (2) WHEN COMBINED WITH CREDITS TAKEN DURING THE  
 19 TAXPAYER'S TAX YEAR UNDER AS 21.89.070, 21.89.075, AS 43.20.014,  
 20 AS 43.55.019, AS 43.56.018, AS 43.65.018, OR AS 43.75.018, EXCEED \$150,000].

21 \* **Sec. 23.** This Act takes effect January 1, 2011.