

1 HB48
2 155402-2
3 By Representatives Lee and Henry
4 RFD: Ways and Means Education
5 First Read: 14-JAN-14
6 PFD: 11/18/2013

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ENROLLED, An Act,

Relating to tax credit; to provide definitions; and to provide a tax credit for a private intrastate adoption or the adoption of a qualified foster child.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. As used in this act, the following terms shall have the following meanings:

(1) QUALIFIED FOSTER CHILD. Any individual who:

(a) is in the permanent legal custody of the Alabama Department of Human Resources; and/or

(b) is placed in a licensed or approved foster home by the Alabama Department of Human Resources for the purpose of adoption pursuant to an approved case plan.

(2) PRIVATE INTRASTATE ADOPTION. An adoption through a private agency in which the birth mother, the baby, and the adoptive parent(s) reside in Alabama.

(3) COMMISSIONER. The Commissioner of Revenue of the State of Alabama.

Section 2. A taxpayer shall be allowed a one time, refundable credit against the tax imposed by Section 40-18-2, Code of Alabama 1975, for a private intrastate adoption or the adoption of a qualified foster child. The amount of such credit shall be \$1,000.00 per child adopted through a private

1 intrastate adoption or qualified foster child to be claimed in
2 the year in which the adoption becomes final.

3 Section 3. The commissioner shall be authorized to
4 promulgate any rules and regulations necessary to implement
5 and administer this section.

6 Section 4. The income tax credit pursuant to this
7 act shall be effective January 1, 2014, for the 2014 taxable
8 year and subsequent taxable years thereafter.

9 Section 5. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.

