

HOUSE BILL No. 1133

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3-3-11.

Synopsis: Income tax credit for donations. Provides for an adjusted gross income tax credit for donations to a public school foundation. Provides that the maximum individual taxpayer credit is \$2,000 in the case of a single return and \$4,000 in the case of a joint return. Provides that the maximum corporate taxpayer credit is the greater of 10% of the corporation's total adjusted gross income tax liability or \$10,000. Makes the credit refundable.

Effective: January 1, 2020.

Hamilton

January 7, 2019, read first time and referred to Committee on Ways and Means.



Introduced

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1133

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
3 **JANUARY 1, 2020]: Sec. 11. (a) As used in this section, "public**
4 **school foundation" refers to a public school foundation that was**
5 **established with the participation of a school corporation under**
6 **IC 20-26-5-22.5.**

7 **(b) At the election of the taxpayer, a credit is allowed against the**
8 **adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7**
9 **for the taxable year. Subject to the limitations provided by this**
10 **section, the amount of the credit allowed is equal to fifty percent**
11 **(50%) of the total amount of charitable contributions made by the**
12 **taxpayer during a taxable year to a public school foundation for**
13 **use by the public school foundation as provided in IC 20-26-5-22.5.**

14 **(c) In the case of a taxpayer other than a corporation, the**
15 **amount allowable as a credit under this section for any taxable**
16 **year may not exceed:**

17 **(1) two thousand dollars (\$2,000) in the case of a single**



1 **return; or**

2 **(2) four thousand dollars (\$4,000) in the case of a joint return.**

3 **(d) In the case of a taxpayer that is a corporation, the amount**
4 **allowable as a credit under this section for any taxable year may**
5 **not exceed the greater of the following amounts:**

6 **(1) Ten percent (10%) of the corporation's total adjusted**
7 **gross income tax under IC 6-3-1 through IC 6-3-7 for the**
8 **taxable year (as determined after applying all other credits**
9 **against that tax).**

10 **(2) Ten thousand dollars (\$10,000).**

11 **(e) If the credit allowed by this section exceeds the amount of the**
12 **adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7**
13 **for the taxable year, the excess shall be refunded to the taxpayer.**

14 **SECTION 2. [EFFECTIVE JANUARY 1, 2020] (a) IC 6-3-3-11,**
15 **as added by this act, applies to taxable years beginning after**
16 **December 31, 2019.**

17 **(b) This SECTION expires June 30, 2021.**

