

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.



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.

