HOUSE BILL No. 1206

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3-1; IC 6-3-2-4.

Synopsis: Income tax exemption for military income. Provides a 100% state income tax deduction for all military service income received by an individual or the individual's surviving spouse. Repeals superseded provision.

Effective: January 1, 2018.

Arnold L, Judy

January 10, 2017, read first time and referred to Committee on Ways and Means.



Introduced

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1206

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following: (a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows: (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). (4) Subtract one thousand dollars (\$1,000) for: 	1	SECTION 1. IC 6-3-1-3.5, AS AMENDED BY P.L.181-2016,
 "adjusted gross income" shall mean the following: (a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows: (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	2	SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 (a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows: (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	3	JANUARY 1, 2018]: Sec. 3.5. When used in this article, the term
 defined in Section 62 of the Internal Revenue Code), modified as follows: (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	4	"adjusted gross income" shall mean the following:
 follows: (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	5	(a) In the case of all individuals, "adjusted gross income" (as
 8 (1) Subtract income that is exempt from taxation under this article 9 by the Constitution and statutes of the United States. 10 (2) Add an amount equal to any deduction or deductions allowed 11 or allowable pursuant to Section 62 of the Internal Revenue Code 12 for taxes based on or measured by income and levied at the state 13 level by any state of the United States. 14 (3) Subtract one thousand dollars (\$1,000), or in the case of a 15 joint return filed by a husband and wife, subtract for each spouse 16 one thousand dollars (\$1,000). 	6	defined in Section 62 of the Internal Revenue Code), modified as
 by the Constitution and statutes of the United States. (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	7	follows:
 10 (2) Add an amount equal to any deduction or deductions allowed 11 or allowable pursuant to Section 62 of the Internal Revenue Code 12 for taxes based on or measured by income and levied at the state 13 level by any state of the United States. 14 (3) Subtract one thousand dollars (\$1,000), or in the case of a 15 joint return filed by a husband and wife, subtract for each spouse 16 one thousand dollars (\$1,000). 	8	(1) Subtract income that is exempt from taxation under this article
 or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	9	by the Constitution and statutes of the United States.
 for taxes based on or measured by income and levied at the state level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	10	(2) Add an amount equal to any deduction or deductions allowed
 level by any state of the United States. (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	11	or allowable pursuant to Section 62 of the Internal Revenue Code
 (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000). 	12	for taxes based on or measured by income and levied at the state
 i) joint return filed by a husband and wife, subtract for each spouse i) one thousand dollars (\$1,000). 	13	level by any state of the United States.
16 one thousand dollars (\$1,000).	14	(3) Subtract one thousand dollars (\$1,000), or in the case of a
	15	joint return filed by a husband and wife, subtract for each spouse
17 (4) Subtract one thousand dollars (\$1,000) for:	16	one thousand dollars (\$1,000).
	17	(4) Subtract one thousand dollars (\$1,000) for:



1	
1	(A) each of the exemptions provided by Section $151(c)$ of the
2	Internal Revenue Code;
3	(B) each additional amount allowable under Section 63(f) of
4	the Internal Revenue Code; and
5	(C) the spouse of the taxpayer if a separate return is made by
6	the taxpayer and if the spouse, for the calendar year in which
7	the taxable year of the taxpayer begins, has no gross income
8	and is not the dependent of another taxpayer.
9	(5) Subtract:
10	(A) one thousand five hundred dollars $(\$1,500)$ for each of the
11	exemptions allowed under Section 151(c)(1)(B) of the Internal
12	Revenue Code (as effective January 1, 2004);
13	(B) for taxable years beginning after December 31, 2017, one
14	thousand five hundred dollars (\$1,500) for each exemption
15	allowed under Section 151(c) of the Internal Revenue Code for
16	an individual:
17	(i) who is less than nineteen (19) years of age or is a
18	full-time student who is less than twenty-four (24) years of
19	age;
20	(ii) for whom the taxpayer is the legal guardian; and
21	(iii) for whom the taxpayer does not claim an exemption
22	under clause (A); and
23	(C) five hundred dollars (\$500) for each additional amount
24	allowable under Section $63(f)(1)$ of the Internal Revenue Code
25	if the adjusted gross income of the taxpayer, or the taxpayer
26	and the taxpayer's spouse in the case of a joint return, is less
27	than forty thousand dollars (\$40,000).
28	This amount is in addition to the amount subtracted under
29	subdivision (4).
30	(6) Subtract any amounts included in federal adjusted gross
31	income under Section 111 of the Internal Revenue Code as a
32	recovery of items previously deducted as an itemized deduction
33	from adjusted gross income.
34	(7) Subtract any amounts included in federal adjusted gross
35	income under the Internal Revenue Code which amounts were
36	received by the individual as supplemental railroad retirement
37	annuities under 45 U.S.C. 231 and which are not deductible under
38	subdivision (1).
39	(8) Subtract an amount equal to the amount of federal Social
40	Security and Railroad Retirement benefits included in a taxpayer's
41	federal gross income by Section 86 of the Internal Revenue Code.
42	(9) In the case of a nonresident taxpayer or a resident taxpayer
Г <i>Ш</i>	() in the case of a nonresident taxpayer of a resident taxpayer



1	residing in Indiana for a period of less than the taxpayer's entire
2	taxable year, the total amount of the deductions allowed pursuant
3	to subdivisions (3), (4), and (5) shall be reduced to an amount
4	which bears the same ratio to the total as the taxpayer's income
5	taxable in Indiana bears to the taxpayer's total income.
6	(10) In the case of an individual who is a recipient of assistance
0 7	under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7,
8	subtract an amount equal to that portion of the individual's
9	adjusted gross income with respect to which the individual is not
10	
10	allowed under federal law to retain an amount to pay state and
11	local income taxes.
	(11) In the case of an eligible individual, subtract the amount of
13	a Holocaust victim's settlement payment included in the
14	individual's federal adjusted gross income.
15	(12) Subtract an amount equal to the portion of any premiums
16	paid during the taxable year by the taxpayer for a qualified long
17	term care policy (as defined in IC 12-15-39.6-5) for the taxpayer
18	or the taxpayer's spouse, or both.
19	(13) Subtract an amount equal to the lesser of:
20	(A) two thousand five hundred dollars (\$2,500); or
21	(B) the amount of property taxes that are paid during the
22	taxable year in Indiana by the individual on the individual's
23	principal place of residence.
24	(14) Subtract an amount equal to the amount of a September 11
25	terrorist attack settlement payment included in the individual's
26	federal adjusted gross income.
27	(15) Add or subtract the amount necessary to make the adjusted
28	gross income of any taxpayer that owns property for which bonus
29	depreciation was allowed in the current taxable year or in an
30	earlier taxable year equal to the amount of adjusted gross income
31	that would have been computed had an election not been made
32	under Section 168(k) of the Internal Revenue Code to apply bonus
33	depreciation to the property in the year that it was placed in
34	service.
35	(16) Add an amount equal to any deduction allowed under
36	Section 172 of the Internal Revenue Code.
37	(17) Add or subtract the amount necessary to make the adjusted
38	gross income of any taxpayer that placed Section 179 property (as
39	defined in Section 179 of the Internal Revenue Code) in service
40	in the current taxable year or in an earlier taxable year equal to
41	the amount of adjusted gross income that would have been
42	computed had an election for federal income tax purposes not



1 been made for the year in which the property was placed in 2 service to take deductions under Section 179 of the Internal 3 Revenue Code in a total amount exceeding twenty-five thousand 4 dollars (\$25,000). 5 (18) Add an amount equal to the amount that a taxpayer claimed 6 as a deduction for domestic production activities for the taxable 7 year under Section 199 of the Internal Revenue Code for federal 8 income tax purposes. 9 (19) Subtract an amount equal to the amount of the taxpayer's 10 qualified military service income that was not excluded from 11 included in the taxpayer's federal adjusted gross income for 12 federal income tax purposes under Section 112 of under the 13 Internal Revenue Code. 14 (20) Subtract income that is: 15 (A) exempt from taxation under IC 6-3-2-21.7; and 16 (B) included in the individual's federal adjusted gross income 17 under the Internal Revenue Code. 18 (21) Add an amount equal to any income not included in gross 19 income as a result of the deferral of income arising from business 20 indebtedness discharged in connection with the reacquisition after 21 December 31, 2008, and before January 1, 2011, of an applicable 22 debt instrument, as provided in Section 108(i) of the Internal 23 Revenue Code. Subtract the amount necessary from the adjusted 24 gross income of any taxpayer that added an amount to adjusted 25 gross income in a previous year to offset the amount included in 26 federal gross income as a result of the deferral of income arising 27 from business indebtedness discharged in connection with the 28 reacquisition after December 31, 2008, and before January 1, 29 2011, of an applicable debt instrument, as provided in Section 30 108(i) of the Internal Revenue Code. 31 (22) Add the amount excluded from federal gross income under 32 Section 103 of the Internal Revenue Code for interest received on 33 an obligation of a state other than Indiana, or a political 34 subdivision of such a state, that is acquired by the taxpayer after 35 December 31, 2011. 36 (b) In the case of corporations, the same as "taxable income" (as 37 defined in Section 63 of the Internal Revenue Code) adjusted as 38 follows: 39 (1) Subtract income that is exempt from taxation under this article 40 by the Constitution and statutes of the United States. 41 (2) Add an amount equal to any deduction or deductions allowed 42 or allowable pursuant to Section 170 of the Internal Revenue



1 Code.

2 (3) Add an amount equal to any deduction or deductions allowed

- or allowable pursuant to Section 63 of the Internal Revenue Code
 for taxes based on or measured by income and levied at the state
 level because state of the United States
- 5 level by any state of the United States.
- 6 (4) Subtract an amount equal to the amount included in the
 7 corporation's taxable income under Section 78 of the Internal
 8 Revenue Code.

9 (5) Add or subtract the amount necessary to make the adjusted 10 gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an 11 12 earlier taxable year equal to the amount of adjusted gross income 13 that would have been computed had an election not been made 14 under Section 168(k) of the Internal Revenue Code to apply bonus 15 depreciation to the property in the year that it was placed in 16 service.

17 (6) Add an amount equal to any deduction allowed under Section18 172 of the Internal Revenue Code.

- 19 (7) Add or subtract the amount necessary to make the adjusted 20 gross income of any taxpayer that placed Section 179 property (as 21 defined in Section 179 of the Internal Revenue Code) in service 22 in the current taxable year or in an earlier taxable year equal to 23 the amount of adjusted gross income that would have been 24 computed had an election for federal income tax purposes not 25 been made for the year in which the property was placed in 26 service to take deductions under Section 179 of the Internal 27 Revenue Code in a total amount exceeding twenty-five thousand 28 dollars (\$25,000).
- (8) Add an amount equal to the amount that a taxpayer claimed as
 a deduction for domestic production activities for the taxable year
 under Section 199 of the Internal Revenue Code for federal
 income tax purposes.
- (9) Add to the extent required by IC 6-3-2-20 the amount of
 intangible expenses (as defined in IC 6-3-2-20) and any directly
 related interest expenses (as defined in IC 6-3-2-20) for the
 taxable year that reduced the corporation's taxable income (as
 defined in Section 63 of the Internal Revenue Code) for federal
 income tax purposes.
- 39 (10) Add an amount equal to any deduction for dividends paid (as
 40 defined in Section 561 of the Internal Revenue Code) to
 41 shareholders of a captive real estate investment trust (as defined
 42 in section 34.5 of this chapter).



1	(11) Subtract income that is:
2 3	(A) exempt from taxation under IC 6-3-2-21.7; and
3	(B) included in the corporation's taxable income under the
4	Internal Revenue Code.
5	(12) Add an amount equal to any income not included in gross
6	income as a result of the deferral of income arising from business
7	indebtedness discharged in connection with the reacquisition after
8	December 31, 2008, and before January 1, 2011, of an applicable
9	debt instrument, as provided in Section 108(i) of the Internal
10	Revenue Code. Subtract from the adjusted gross income of any
11	taxpayer that added an amount to adjusted gross income in a
12	previous year the amount necessary to offset the amount included
13	in federal gross income as a result of the deferral of income
14	arising from business indebtedness discharged in connection with
15	the reacquisition after December 31, 2008, and before January 1,
16	2011, of an applicable debt instrument, as provided in Section
17	108(i) of the Internal Revenue Code.
18	(13) Add the amount excluded from federal gross income under
19	Section 103 of the Internal Revenue Code for interest received on
20	an obligation of a state other than Indiana, or a political
21	subdivision of such a state, that is acquired by the taxpayer after
22	December 31, 2011.
23	(c) In the case of life insurance companies (as defined in Section
24	816(a) of the Internal Revenue Code) that are organized under Indiana
25	law, the same as "life insurance company taxable income" (as defined
26	in Section 801 of the Internal Revenue Code), adjusted as follows:
27	(1) Subtract income that is exempt from taxation under this article
28	by the Constitution and statutes of the United States.
29	(2) Add an amount equal to any deduction allowed or allowable
30	under Section 170 of the Internal Revenue Code.
31	(3) Add an amount equal to a deduction allowed or allowable
32	under Section 805 or Section 832(c) of the Internal Revenue Code
33	for taxes based on or measured by income and levied at the state
34	level by any state.
35	(4) Subtract an amount equal to the amount included in the
36	company's taxable income under Section 78 of the Internal
37	Revenue Code.
38	(5) Add or subtract the amount necessary to make the adjusted
39	gross income of any taxpayer that owns property for which bonus
40	depreciation was allowed in the current taxable year or in an
41	earlier taxable year equal to the amount of adjusted gross income
42	that would have been computed had an election not been made
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1	under Section 168(k) of the Internal Revenue Code to apply bonus
2	depreciation to the property in the year that it was placed in
3	service.
4	(6) Add an amount equal to any deduction allowed under Section
5	172 or Section 810 of the Internal Revenue Code.
6	(7) Add or subtract the amount necessary to make the adjusted
0 7	gross income of any taxpayer that placed Section 179 property (as
8	
8 9	defined in Section 179 of the Internal Revenue Code) in service
	in the current taxable year or in an earlier taxable year equal to
10	the amount of adjusted gross income that would have been
11	computed had an election for federal income tax purposes not
12	been made for the year in which the property was placed in
13	service to take deductions under Section 179 of the Internal
14	Revenue Code in a total amount exceeding twenty-five thousand
15	dollars (\$25,000).
16	(8) Add an amount equal to the amount that a taxpayer claimed as
17	a deduction for domestic production activities for the taxable year
18	under Section 199 of the Internal Revenue Code for federal
19	income tax purposes.
20	(9) Subtract income that is:
21	(A) exempt from taxation under IC 6-3-2-21.7; and
22	(B) included in the insurance company's taxable income under
23	the Internal Revenue Code.
24	(10) Add an amount equal to any income not included in gross
25	income as a result of the deferral of income arising from business
26	indebtedness discharged in connection with the reacquisition after
27	December 31, 2008, and before January 1, 2011, of an applicable
28	debt instrument, as provided in Section 108(i) of the Internal
29	Revenue Code. Subtract from the adjusted gross income of any
30	taxpayer that added an amount to adjusted gross income in a
31	previous year the amount necessary to offset the amount included
32	in federal gross income as a result of the deferral of income
33	arising from business indebtedness discharged in connection with
34	the reacquisition after December 31, 2008, and before January 1,
35	2011, of an applicable debt instrument, as provided in Section
36	108(i) of the Internal Revenue Code.
37	(11) Add an amount equal to any exempt insurance income under
38	Section 953(e) of the Internal Revenue Code that is active
39	financing income under Subpart F of Subtitle A, Chapter 1,
40	Subchapter N of the Internal Revenue Code.
40	(12) Add the amount excluded from federal gross income under
42	(12) Add the amount excluded from reactar gross meanine under

42 Section 103 of the Internal Revenue Code for interest received on



1 an obligation of a state other than Indiana, or a political 2 subdivision of such a state, that is acquired by the taxpayer after 3 December 31, 2011. 4 (d) In the case of insurance companies subject to tax under Section 5 831 of the Internal Revenue Code and organized under Indiana law, the 6 same as "taxable income" (as defined in Section 832 of the Internal 7 Revenue Code), adjusted as follows: 8 (1) Subtract income that is exempt from taxation under this article 9 by the Constitution and statutes of the United States. 10 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code. 11 12 (3) Add an amount equal to a deduction allowed or allowable 13 under Section 805 or Section 832(c) of the Internal Revenue Code 14 for taxes based on or measured by income and levied at the state 15 level by any state. 16 (4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal 17 18 Revenue Code. 19 (5) Add or subtract the amount necessary to make the adjusted 20 gross income of any taxpayer that owns property for which bonus 21 depreciation was allowed in the current taxable year or in an 22 earlier taxable year equal to the amount of adjusted gross income 23 that would have been computed had an election not been made 24 under Section 168(k) of the Internal Revenue Code to apply bonus 25 depreciation to the property in the year that it was placed in 26 service. 27 (6) Add an amount equal to any deduction allowed under Section 28 172 of the Internal Revenue Code. 29 (7) Add or subtract the amount necessary to make the adjusted 30 gross income of any taxpayer that placed Section 179 property (as 31 defined in Section 179 of the Internal Revenue Code) in service 32 in the current taxable year or in an earlier taxable year equal to 33 the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not 34 35 been made for the year in which the property was placed in 36 service to take deductions under Section 179 of the Internal 37 Revenue Code in a total amount exceeding twenty-five thousand 38 dollars (\$25,000). 39 (8) Add an amount equal to the amount that a taxpayer claimed as 40 a deduction for domestic production activities for the taxable year 41 under Section 199 of the Internal Revenue Code for federal 42 income tax purposes.



1	(9) Subtract income that is:
2	(A) exempt from taxation under IC 6-3-2-21.7; and
3	(B) included in the insurance company's taxable income under
4	the Internal Revenue Code.
5	(10) Add an amount equal to any income not included in gross
6	income as a result of the deferral of income arising from business
7	indebtedness discharged in connection with the reacquisition after
8	December 31, 2008, and before January 1, 2011, of an applicable
9	debt instrument, as provided in Section 108(i) of the Internal
10	Revenue Code. Subtract from the adjusted gross income of any
11	taxpayer that added an amount to adjusted gross income in a
12	previous year the amount necessary to offset the amount included
13	in federal gross income as a result of the deferral of income
14	arising from business indebtedness discharged in connection with
15	the reacquisition after December 31, 2008, and before January 1,
16	2011, of an applicable debt instrument, as provided in Section
17	108(i) of the Internal Revenue Code.
18	(11) Add an amount equal to any exempt insurance income under
19	Section 953(e) of the Internal Revenue Code that is active
20	financing income under Subpart F of Subtitle A, Chapter 1,
20	Subchapter N of the Internal Revenue Code.
22	(12) Add the amount excluded from federal gross income under
23	Section 103 of the Internal Revenue Code for interest received on
23	an obligation of a state other than Indiana, or a political
25	subdivision of such a state, that is acquired by the taxpayer after
26	December 31, 2011.
20 27	(e) In the case of trusts and estates, "taxable income" (as defined for
28	trusts and estates in Section 641(b) of the Internal Revenue Code)
29	adjusted as follows:
30	(1) Subtract income that is exempt from taxation under this article
31	by the Constitution and statutes of the United States.
32	(2) Subtract an amount equal to the amount of a September 11
33	terrorist attack settlement payment included in the federal
34	adjusted gross income of the estate of a victim of the September
35	11 terrorist attack or a trust to the extent the trust benefits a victim
36	of the September 11 terrorist attack.
37	(3) Add or subtract the amount necessary to make the adjusted
38	gross income of any taxpayer that owns property for which bonus
39	depreciation was allowed in the current taxable year or in an
40	earlier taxable year equal to the amount of adjusted gross income
40 41	that would have been computed had an election not been made
41	under Section 168(k) of the Internal Revenue Code to apply bonus
74	under Section 100(k) of the internal Revenue Code to apply bolius



1	depreciation to the property in the year that it was placed in
2	service.
3	(4) Add an amount equal to any deduction allowed under Section
4	172 of the Internal Revenue Code.
5	(5) Add or subtract the amount necessary to make the adjusted
6	gross income of any taxpayer that placed Section 179 property (as
7	defined in Section 179 of the Internal Revenue Code) in service
8	in the current taxable year or in an earlier taxable year equal to
9	the amount of adjusted gross income that would have been
10	computed had an election for federal income tax purposes not
11	been made for the year in which the property was placed in
12	service to take deductions under Section 179 of the Internal
13	Revenue Code in a total amount exceeding twenty-five thousand
14	dollars (\$25,000).
15	(6) Add an amount equal to the amount that a taxpayer claimed as
16	a deduction for domestic production activities for the taxable year
17	under Section 199 of the Internal Revenue Code for federal
18	income tax purposes.
19	(7) Subtract income that is:
20	(A) exempt from taxation under IC 6-3-2-21.7; and
21	(B) included in the taxpayer's taxable income under the
22	Internal Revenue Code.
23	(8) Add an amount equal to any income not included in gross
24	income as a result of the deferral of income arising from business
25	indebtedness discharged in connection with the reacquisition after
26	December 31, 2008, and before January 1, 2011, of an applicable
27	debt instrument, as provided in Section 108(i) of the Internal
28	Revenue Code. Subtract from the adjusted gross income of any
29	taxpayer that added an amount to adjusted gross income in a
30	previous year the amount necessary to offset the amount included
31	in federal gross income as a result of the deferral of income
32	arising from business indebtedness discharged in connection with
33	the reacquisition after December 31, 2008, and before January 1,
34	2011, of an applicable debt instrument, as provided in Section
35	108(i) of the Internal Revenue Code.
36	(9) Add the amount excluded from federal gross income under
37	Section 103 of the Internal Revenue Code for interest received on
38	an obligation of a state other than Indiana, or a political
39	subdivision of such a state, that is acquired by the taxpayer after
40	December 31, 2011.
41	SECTION 2. IC 6-3-1-34, AS ADDED BY P.L.144-2007,
42	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1	JANUARY 1, 2018]: Sec. 34. "Qualified "Military service income"
2	means wages that are paid:
3	(1) to a member of:
4	(A) a reserve component of the armed forces of the United
5	States; or
6	(B) the National Guard; and
7	(2) for any of the following applicable periods, or any
8	combination of the following applicable periods, in a calendar
9	year:
10	(A) The member's full-time service on involuntary orders in:
11	(i) a reserve component of the armed forces of the United
12	States; or
13	(ii) the National Guard.
14	(B) The period during which the member is mobilized and
15	deployed for full-time service in:
16	(i) a reserve component of the armed forces of the United
17	States; or
18	(ii) the National Guard.
19	(C) The period during which the member's National Guard
20	unit is federalized. all income, including retirement or
21	survivor's benefits, received during the taxable year by the
22	individual, or the individual's surviving spouse, for the
23	individual's service in an active or reserve component of
24	the armed forces of the United States, including the army,
25	navy, air force, coast guard, marine corps, merchant
26	marine, Indiana army national guard, or Indiana air
27	national guard.
28	SECTION 3. IC 6-3-2-4 IS REPEALED [EFFECTIVE JANUARY
29	1, 2018]. Sec. 4. (a) Each taxable year, an individual, or the individual's
30	surviving spouse, is entitled to an adjusted gross income tax deduction
31	for the first five thousand dollars (\$5,000) of income, including
32	retirement or survivor's benefits, received during the taxable year by
33	the individual, or the individual's surviving spouse, for the individual's
34	service in an active or reserve component of the armed forces of the
35	United States, including the army, navy, air force, coast guard, marine
36	corps, merchant marine, Indiana army national guard, or Indiana air
37	national guard. However, a person who is less than sixty (60) years of
38	age on the last day of the person's taxable year, is not, for that taxable
39	year, entitled to a deduction under this section for retirement or
40	survivor's benefits.
41	(b) An individual whose qualified military income is subtracted
42	from the individual's federal adjusted gross income under



- IC 6-3-1-3.5(a)(19) for Indiana individual income tax purposes is not,
 for that taxable year, entitled to a deduction under this section for the
 individual's qualified military income.
 SECTION 4. [EFFECTIVE JANUARY 1, 2018] (a) IC 6-3-1-3.5
 and IC 6-3-1-34, both as amended by this act, apply to taxable
- 6 years beginning after December 31, 2017.
- 7 (b) This SECTION expires July 1, 2021.

