

Effective 5/10/2016

59-10-1036 Nonrefundable tax credit for military survivor benefits.

- (1) As used in this section:
 - (a) "Dependent child" means the same as that term is defined in 10 U.S.C. Sec. 1447.
 - (b) "Reserve components" means the same as that term is described in 10 U.S.C. Sec. 10101.
 - (c) "Surviving spouse" means the same as that term is defined in 10 U.S.C. Sec. 1447.
 - (d) "Survivor benefits" means the amount paid by the federal government in accordance with 10 U.S.C. Secs. 1447 through 1455.
- (2) A surviving spouse or dependent child may claim a nonrefundable tax credit for survivor benefits if the benefits are paid due to:
 - (a) the death of a member of the armed forces or reserve components while on active duty; or
 - (b) the death of a member of the reserve components that results from a service-connected cause while performing inactive duty training.
- (3) The tax credit described in Subsection (2) is equal to the product of:
 - (a) the amount of survivor benefits that the surviving spouse or dependent child received during the taxable year; and
 - (b) 5%.
- (4) The tax credit described in Subsection (2):
 - (a) may not be carried forward or carried back; and
 - (b) applies to a taxable year beginning on or after January 1, 2017.

Enacted by Chapter 55, 2016 General Session