

**Effective 1/1/2026**

**59-10-1042 Nonrefundable tax credit for social security benefits.**

- (1) As used in this section:
  - (a) "Head of household filing status" means the same as that term is defined in Section 59-10-1018.
  - (b) "Joint filing status" means the same as that term is defined in Section 59-10-1018.
  - (c) "Married filing separately status" means a married individual who:
    - (i) does not file a single federal individual income tax return jointly with that married individual's spouse for the taxable year; and
    - (ii) files a single federal individual income tax return for the taxable year.
  - (d) "Modified adjusted gross income" means the sum of the following for a claimant or, if the claimant's return under this chapter is allowed a joint filing status, the claimant and the claimant's spouse:
    - (i) adjusted gross income for the taxable year for which a tax credit is claimed under this section;
    - (ii) any interest income that is not included in adjusted gross income for the taxable year described in Subsection (1)(d)(i); and
    - (iii) any addition to adjusted gross income required by Section 59-10-114 for the taxable year described in Subsection (1)(d)(i).
  - (e) "Single filing status" means a single individual who files a single federal individual income tax return for the taxable year.
  - (f) "Social security benefit" means an amount received by a claimant as a monthly benefit in accordance with the Social Security Act, 42 U.S.C. Sec. 401 et seq.
- (2) Except as provided in Section 59-10-1002.2 and Subsections (3) and (4), each claimant on a return that receives a social security benefit may claim a nonrefundable tax credit against taxes otherwise due under this part equal to the product of:
  - (a) the percentage listed in Subsection 59-10-104(2); and
  - (b) the claimant's social security benefit that is included in the claimant's state taxable income for the taxable year.
- (3) A claimant may not:
  - (a) carry forward or carry back the amount of a tax credit under this section that exceeds the claimant's tax liability for the taxable year; or
  - (b) claim a tax credit under this section for a taxable year if a tax credit under Section 59-10-1019 is claimed on the claimant's return for the same taxable year.
- (4) The tax credit allowed by Subsection (2) claimed on a return filed under this part shall be reduced by \$.025 for each dollar by which modified adjusted gross income for purposes of the return exceeds:
  - (a) for a return filed under this chapter that is allowed a married filing separately status, \$45,000;
  - (b) for a return filed under this chapter that is allowed a single filing status, \$54,000;
  - (c) for a return filed under this chapter that is allowed a head of household filing status, \$90,000;or
  - (d) for a return filed under this chapter that is allowed a joint filing status, \$90,000.
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules governing the calculation and method for claiming the tax credit described in this section.

Amended by Chapter 182, 2025 General Session