

Effective 1/1/2024

59-10-1047 Nonrefundable child tax credit.

- (1) As used in this section:
- (a) "Joint filing status" means the same as that term is defined in Section 59-10-1018.
 - (b) "Head of household 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 federal individual income tax return 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) "Qualifying child" means an individual:
 - (i) with respect to whom the claimant is allowed to claim a tax credit under Section 24, Internal Revenue Code, on the claimant's federal individual income tax return for the taxable year; and
 - (ii) who is at least one year old and younger than four years old on the last day of the claimant's taxable year.
 - (f) "Single filing status" means a single individual who files a single federal individual income tax return for the taxable year.
- (2) Subject to Subsection 59-10-1002.2, a claimant may claim a nonrefundable tax credit of \$1,000 for each qualifying child.
- (3) A claimant may not carry forward or carry back the amount of the tax credit that exceeds the claimant's tax liability.
- (4) The tax credit allowed by Subsection (2) claimed on a return filed under this part shall be reduced by \$.10 for each dollar by which modified adjusted gross income for purposes of the return exceeds:
- (a) for a federal individual income tax return that is allowed a married filing separately status, \$27,000;
 - (b) for a federal individual income tax return that is allowed a single filing status or head of household filing status, \$43,000; and
 - (c) for a federal individual income tax return under this chapter that is allowed a joint filing status, \$54,000.

Enacted by Chapter 462, 2023 General Session