

S.B. 125

AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS

SENATE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 1, 2005 2:04 PM

Senator **Parley G. Hellewell** proposes the following amendments:

1. *Page 1, Lines 13 through 18*

Senate Committee Amendments

1-26-2005:

- 13 ▶ amends the definition of "child who has a special need";
- 13a § REQUIRES THAT AN ADOPTION OCCUR IN THIS STATE FOR A TAXPAYER TO BE ELIGIBLE
- 13b FOR A TAX CREDIT; § and
- 14 { ~~▶ provides that a taxpayer may not claim a tax credit if the taxpayer adopts a child of~~
- 15 the taxpayer's spouse;
- 16 ~~▶ grants rulemaking authority to the State Tax Commission to define "child of the~~
- 17 taxpayer's spouse"; and }
- 18 ▶ makes technical changes.

2. *Page 2, Lines 40 through 41*

Senate Committee Amendments

1-26-2005:

- 40 (2) {+} For {+} { Except as provided in Subsection (3), for } taxable years beginning on
- or after
- 41 January 1, [200+] 2005, a taxpayer who adopts § IN THIS STATE § a child who has a special need

3. *Page 2, Lines 48 through 55*

Senate Committee Amendments

1-26-2005:

- 48 { ~~(3)(a) Notwithstanding Subsection (2), a taxpayer may not claim a tax credit under this~~
- 49 section if the taxpayer adopts a child of the taxpayer's spouse.
- 50 ~~(b) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the~~
- 51 commission may by rule define "child of the taxpayer's spouse." }
- 52 {+} (3) {+} { ~~(4)~~ } The credit provided for in this section may not be carried forward or
- carried
- 53 back.
- 54 {+} (4) {+} { ~~(5)~~ } Nothing in this section shall affect the ability of any taxpayer who

adopts a

55 child who has a special need to receive adoption assistance under Section 62A-4a-907.