

274	If the state taxable income is:	The tax is:
275	Less than or equal to [\$1,726] <u>\$2,210</u>	2.3% of the state taxable income
276	Greater than [\$1,726] <u>\$2,210</u> but less than	[\$40] <u>\$51</u> , plus 3.3% of state taxable
277	or equal to [\$3,450] <u>\$4,416</u>	income greater than [\$1,726] <u>\$2,210</u>
278	Greater than [\$3,450] <u>\$4,416</u> but less than	[\$97] <u>\$124</u> , plus 4.2% of state taxable
279	or equal to [\$5,176] <u>\$6,626</u>	income greater than [\$3,450] <u>\$4,416</u>
280	Greater than [\$5,176] <u>\$6,626</u> but less than	[\$169] <u>\$216</u> , plus 5.2% of state taxable
281	or equal to [\$6,900] <u>\$8,832</u>	income greater than [\$5,176] <u>\$6,626</u>
282	Greater than [\$6,900] <u>\$8,832</u> but less than	[\$259] <u>\$331</u> , plus 6% of state taxable
283	or equal to [\$8,626] <u>\$11,042</u>	income greater than [\$6,900] <u>\$8,832</u>
284	Greater than [\$8,626] <u>\$11,042</u>	[\$362] <u>\$464</u> , plus 7% of state taxable
285		income greater than [\$8,626] <u>\$11,042</u>

(4) (a) For taxable years beginning on or after January 1, 2009, the commission shall:

(i) make the following adjustments to the income brackets under Subsection (2):

(A) increase or decrease the income brackets under Subsection (2) by a percentage equal to the percentage difference between the consumer price index for the preceding calendar year and the consumer price index for the calendar year 2007; and

(B) after making an increase or decrease under Subsection (4)(a)(i)(A), round the income brackets under Subsection (2) to the nearest whole dollar;

(ii) after making the adjustments described in Subsection (4)(a)(i) to the income brackets under Subsection (2), adjust the income brackets under Subsection (3) so that for each income bracket under Subsection (2) there is a corresponding income bracket under Subsection (3) that is equal to the product of:

(A) each income bracket under Subsection (2); and

(B) two; and

(iii) to the extent necessary to reflect an adjustment under Subsection (4)(a)(i) or (ii):

(A) increase or decrease the amount of tax under Subsection (2) or (3) prior to adding in the portion of the tax calculated as a percentage of state taxable income; and

(B) after making an increase or decrease under Subsection (4)(a)(iii)(A), round the amount of tax under Subsection (2) or (3) to the nearest whole dollar.

(b) The commission may not increase or decrease the tax rate percentages provided in Subsection (2) or (3).

(c) For purposes of Subsection (4)(a)(i), the commission shall calculate the consumer price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

286 {~~(4)~~} (5) This section does not apply to a resident individual exempt from taxation under
287 Section 59-10-104.1.

S.B. 4001

INCOME TAX AMENDMENTS

Senator **Mike Dmitrich** proposes the following amendments:

1. *Page 1, Lines 12 through 14:*

- 12 This bill:
- 13 ▶ modifies tax brackets for taxable years beginning on or after January 1, 2006;
- ▶ for taxable years beginning on or after January 1, 2009, requires individual income tax brackets to be adjusted for changes in the consumer price index;
- 14 ▶ modifies additions to and subtractions from federal taxable income for purposes of

2. *Page 9, Line 250 through Page 10, Line 287:*

250 Section 2. Section **59-10-104** is amended to read:

251 59-10-104. Tax basis -- Rates -- Exemption.

252 (1) Except as provided in Subsection ~~{(4)}~~ (5) or Part 12, Single Rate Individual Income Tax

253 Act, for taxable years beginning on or after January 1, ~~[2001]~~ 2006, a tax is imposed on the

254 state taxable income~~[, as defined in Section 59-10-112;]~~ of every resident individual as

255 provided in this section.

256 (2) For an individual, other than a husband and wife or head of household required to

257 use the tax table under Subsection (3), the tax under this section is imposed in accordance with

258 the following ~~{table}~~ income brackets :

259 If the state taxable income is:

The tax is:

260 Less than or equal to ~~[\$863]~~ \$1,105

2.3% of the state taxable income

261 Greater than ~~[\$863]~~ \$1,105 but less than

262 or equal to ~~[\$1,726]~~ \$2,208

~~[\$20]~~ \$25, plus 3.3% of state taxable

income greater than ~~[\$863]~~ \$1,105

263 Greater than ~~[\$1,726]~~ \$2,208 but less than

264 or equal to ~~[\$2,588]~~ \$3,313

~~[\$48]~~ \$62, plus 4.2% of state taxable

income greater than ~~[\$1,726]~~ \$2,208

265 Greater than ~~[\$2,588]~~ \$3,313 but less than

266 or equal to ~~[\$3,450]~~ \$4,416

~~[\$85]~~ \$108, plus 5.2% of state taxable

income greater than ~~[\$2,588]~~ \$3,313

267 Greater than ~~[\$3,450]~~ \$4,416 but less than

268 or equal to ~~[\$4,313]~~ \$5,521

~~[\$129]~~ \$166, plus 6% of state taxable

income greater than ~~[\$3,450]~~ \$4,416

269 Greater than ~~[\$4,313]~~ \$5,521

~~[\$181]~~ \$232, plus 7% of state taxable

income greater than ~~[\$4,313]~~ \$5,521

271 (3) For a husband and wife filing a single return jointly, or a head of household as

272 defined in Section 2(b), Internal Revenue Code, filing a single return, the tax under this section

273 is imposed in accordance with the following ~~{table}~~ income brackets :