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| PREVAILED | Roll Call No. _____ |
| FAILED | Ayes _____ |
| WITHDRAWN | Noes _____ |
| RULED OUT OF ORDER | |

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

1 Page 168, between lines 46 and 47, begin a new paragraph and insert:
2 "SECTION 150. IC 6-3.1-21 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]:

Chapter 21. Child Tax Credit

5 **Sec. 1. As used in this chapter, "eligible dependent" means a dependent, as defined in Section**
6 **151(c)(1)(B) of the Internal Revenue Code, who is less than six (6) years of age.**

7 **Sec. 2. As used in this chapter, "taxpayer" means an individual who has any adjusted gross income tax**
8 **liability.**

9 **Sec. 3. (a) A taxpayer who:**

10 (1) has at least one (1) eligible dependent; and

11 (2) does not claim a federal child care credit under Section 21 of the Internal Revenue Code;
12 is entitled to a credit against the adjusted gross income tax imposed by IC 6-3 for the taxable year during
13 which the taxpayer incurs the qualified education expense.

14 (b)The credit is equal to one hundred fifty dollars (\$150).

15 **Sec. 4. If both spouses reside in the same household, only one (1) credit may be claimed by the spouses**
16 **under this chapter for the taxable year. However, in the case of a husband and wife who incur a qualified**
17 **education expense and file separate tax returns, the husband and wife may take the credit in equal shares**
18 **or one (1) spouse may take the entire credit.**

19 **Sec. 5. (a) If the amount of the credit provided by this chapter that a taxpayer uses during a particular**
20 **taxable year exceeds the sum of the taxes imposed by IC 6-3 for the taxable year after the application of**
21 **all credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter, the**
22 **taxpayer may carry the excess over to the following taxable years. The amount of the credit carryover**
23 **from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a**

1 **credit under this chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback.**

2 **(b) A taxpayer is not entitled to a refund of any unused credit.**

3 SECTION 151. [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]: **IC 6-3.1-21, as added by this act,**
4 **applies to a taxable year beginning after December 31, 1998."**

5 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 22, 1999.)

Representative Young M