

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1003 be amended to read as follows:

- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning
3 education and to make an appropriation.
4 Page 1, between the enacting clause and line 1, begin a new
5 paragraph and insert:
6 "SECTION 1. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
8 JANUARY 1, 2012]: **Sec. 11. (a) This section applies only to taxable
9 years beginning after December 31, 2011.**
10 **(b) As used in this section, "public elementary school or public
11 high school" means any combination of grades from kindergarten
12 through grade 12 offered by the following:**
13 **(1) A school corporation subject to IC 20.**
14 **(2) A special education cooperative (as defined in
15 IC 20-35-5-1(7)).**
16 **(c) At the election of the taxpayer, a credit is allowed against the
17 adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7
18 for the taxable year. Subject to the limitations provided by this
19 section, the amount allowed is equal to fifty percent (50%) of the
20 total amount of charitable contributions made by the taxpayer
21 during a taxable year to a charitable organization or educational
22 foundation that is:**
23 **(1) exempt from federal income taxation under Section
24 501(c)(3) of the Internal Revenue Code; and**

- 1 **(2) organized and operated solely for the benefit of a public**
- 2 **elementary school or public high school located in Indiana.**
- 3 **(d) In the case of a taxpayer other than a corporation, the**
- 4 **amount allowable as a credit under this section for any taxable**
- 5 **year may not exceed:**
- 6 **(1) one thousand dollars (\$1,000) in the case of a single return;**
- 7 **or**
- 8 **(2) two thousand dollars (\$2,000) in the case of a joint return.**
- 9 **(e) In the case of a taxpayer that is a corporation, the amount**
- 10 **allowable as a credit under this section for any taxable year may**
- 11 **not exceed the greater of the following amounts:**
- 12 **(1) Ten percent (10%) of the corporation's total adjusted**
- 13 **gross income tax under IC 6-3-1 through IC 6-3-7 for the**
- 14 **taxable year (as determined after applying all other credits**
- 15 **against that tax).**
- 16 **(2) Ten thousand dollars (\$10,000).**
- 17 **(f) If the credit allowed by this section exceeds the amount of the**
- 18 **adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7**
- 19 **for the taxable year, the excess shall be refunded to the taxpayer.**
- 20 **Money is appropriated from the state general fund to make**
- 21 **refunds under this section."**
- 22 Renumber all SECTIONS consecutively.
 (Reference is to HB 1003 as printed February 18, 2011.)

Representative Austin