

# HOUSE BILL No. 1516

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-3-3-5.

**Synopsis:** Tax credit for donations to schools. Expands the credit against adjusted gross income tax available under current law for charitable contributions to colleges and universities to include charitable contributions to a school, public or private, that offers instruction at any grade from kindergarten through grade 12.

**Effective:** January 1, 2014.

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**Bauer, Turner, Goodin**

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January 22, 2013, read first time and referred to Committee on Ways and Means.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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# HOUSE BILL No. 1516



A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-3-3-5, AS AMENDED BY P.L.2-2007,  
2 SECTION 121, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JANUARY 1, 2014]: Sec. 5. (a) At the election of the  
4 taxpayer, there shall be allowed, as a credit against the adjusted gross  
5 income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year,  
6 an amount (subject to the applicable limitations provided by this  
7 section) equal to fifty percent (50%) of the aggregate amount of  
8 charitable contributions made by such taxpayer during such year to:  
9 (1) a school, public or private, located in Indiana that offers  
10 instruction to students in any grade from kindergarten  
11 through grade 12;  
12 (2) postsecondary educational institutions located within in  
13 Indiana (including any of its associated colleges in Indiana); or to  
14 (3) any corporation or foundation organized and operated solely  
15 for the benefit of any postsecondary educational institution. **entity**  
16 **described in subdivision (1) or (2).**  
17 (b) In the case of a taxpayer other than a corporation, the amount



1 allowable as a credit under this section for any taxable year shall not  
 2 exceed one hundred dollars (\$100) in the case of a single return or two  
 3 hundred dollars (\$200) in the case of a joint return.

4 (c) In the case of a corporation, the amount allowable as a credit  
 5 under this section for any taxable year shall not exceed:

6 (1) ten percent (10%) of such corporation's total adjusted gross  
 7 income tax under IC 6-3-1 through IC 6-3-7 for such year (as  
 8 determined without regard to any credits against that tax); or

9 (2) one thousand dollars (\$1,000);

10 whichever is less.

11 (d) A charitable contribution ~~in Indiana qualifies for a credit under~~  
 12 ~~this section only if the charitable contribution is made to a~~  
 13 ~~postsecondary educational institution located in Indiana or a~~  
 14 ~~corporation or foundation organized for the benefit of a postsecondary~~  
 15 ~~educational institution that:~~ **located in Indiana qualifies for a credit**  
 16 **under this section only if the postsecondary educational institution:**

17 (1) normally maintains a regular faculty and curriculum and  
 18 normally has a regularly organized body of students in attendance  
 19 at the place where its educational activities are carried on;

20 (2) regularly offers education at a level above the twelfth grade;

21 (3) regularly awards either associate, bachelors, masters, or  
 22 doctoral degrees, or any combination thereof; and

23 (4) is duly accredited by the North Central Association of  
 24 Colleges and Schools, the Indiana state board of education, or the  
 25 American Association of Theological Schools.

26 (e) The credit allowed by this section shall not exceed the amount  
 27 of the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7  
 28 for the taxable year, reduced by the sum of all credits (as determined  
 29 without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

30 **SECTION 2. [EFFECTIVE JANUARY 1, 2014] (a) IC 6-3-3-5, as**  
 31 **amended by this act, applies only to taxable years beginning after**  
 32 **December 31, 2013.**

33 **(b) This SECTION expires December 31, 2015.**

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