

HOUSE BILL No. 1922

DIGEST OF INTRODUCED BILL

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

Synopsis: Tax credit for public school contributions. Provides an income tax credit equal to 50% of charitable contributions made by a taxpayer to a public school corporation in Indiana. Applies the same limits to the amount allowable as tax credits for charitable contributions to public school corporations as are applicable for charitable contributions to institutions of higher education.

Effective: January 1, 2001 (retroactive).

Goodin, Yount, Thompson, Kersey

January 17, 2001, read first time and referred to Committee on Ways and Means.

C
O
P
Y



First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

C
o
p
y

HOUSE BILL No. 1922



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 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2001 (RETROACTIVE)]: Sec. 5. (a) At
3 the election of the taxpayer, there shall be allowed, as a credit against
4 the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for
5 the taxable year, an amount (subject to the applicable limitations
6 provided by this section) equal to fifty percent (50%) of the aggregate
7 amount of charitable contributions made by such taxpayer during such
8 year to ~~institutions~~ **any of the following:**
9 (1) ~~An institution~~ of higher education located within Indiana. ~~to~~
10 ~~any~~
11 (2) A corporation or foundation organized and operated solely for
12 the benefit of ~~any such an~~ institution of higher education. ~~or to~~
13 (3) The associated colleges of Indiana.
14 (4) ~~A school corporation~~ **(as defined in subsection (e)).**
15 (b) In the case of a taxpayer other than a corporation, the amount
16 allowable as a credit under this section for any taxable year shall not
17 exceed one hundred dollars (\$100) in the case of a single return or two



1 hundred dollars (\$200) in the case of a joint return.

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

- 4 (1) ten percent (10%) of such corporation's total adjusted gross
5 income tax under IC 6-3-1 through IC 6-3-7 for such year (as
6 determined without regard to any credits against that tax); or
7 (2) one thousand dollars (\$1,000);

8 whichever is less.

9 (d) For purposes of this section, the term "institution of higher
10 education" means any educational institution located within Indiana:

- 11 (1) which normally maintains a regular faculty and curriculum
12 and normally has a regularly organized body of students in
13 attendance at the place where its educational activities are carried
14 on;
15 (2) which regularly offers education at a level above the twelfth
16 grade;
17 (3) which regularly awards either associate, bachelors, masters, or
18 doctoral degrees, or any combination thereof; and
19 (4) which is duly accredited by the North Central Association of
20 Colleges and Schools, the Indiana state board of education, or the
21 American Association of Theological Schools.

22 (e) **For purposes of this section, "school corporation" means any**
23 **public school corporation established under Indiana law. The term**
24 **includes any school city, school town, school township, consolidated**
25 **school corporation, metropolitan school district, township school**
26 **corporation, county school corporation, united school corporation,**
27 **or community school corporation. The term also includes:**

- 28 (1) **special education cooperatives;**
29 (2) **public vocational schools; or**
30 (3) **schools for children with disabilities;**

31 **established or maintained by two (2) or more school corporations.**

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

36 (†) (g) Any taxpayer subject to an income tax under the provisions
37 of IC 6-2.1 as well as under the provisions of IC 6-3-1 through IC 6-3-7
38 may elect to claim the credit allowed by this section against the income
39 tax imposed by IC 6-2.1, but in no event shall a credit be claimed
40 against both such taxes.

41 SECTION 2. **An emergency is declared for this act.**

C
O
P
Y

