

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 143 be amended to read as follows:

- 1 Page 1, delete lines 9 through 17, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-10-22-2, AS ADDED BY P.L.229-2011,
- 3 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2013]: Sec. 2. **(a)** If:
- 5 **(1)** the total amount of state reserves calculated by the office of
- 6 management and budget exceeds ~~ten~~ **the sum of:**
- 7 **(A) twelve percent (10%) (12%)** of the general revenue
- 8 appropriations for the current state fiscal year; and
- 9 **(B) the amount calculated under subsection (b); and**
- 10 **(2)** if the accounts payable by the state at the end of the preceding
- 11 state fiscal year are not unusually large as a percentage of the total
- 12 amount of state reserves (as compared to recent history);
- 13 the governor shall make a presentation to the state budget committee
- 14 regarding the disposition of excess state reserves under section 3 of this
- 15 chapter. The presentation must be made not later than September 30 of
- 16 the **odd-numbered** year.
- 17 **(b) The office of management and budget shall add the amounts**
- 18 **determined under IC 6-3.1-34-7 for the state fiscal years that have**
- 19 **elapsed since the later of:**
- 20 **(1) June 30, 2012; or**
- 21 **(2) June 30 of the most recent even-numbered state fiscal year**
- 22 **immediately preceding the odd-numbered state fiscal year in**
- 23 **which the governor made a presentation to the budget**
- 24 **committee concerning the disposition of excess state reserves**

- 1 **under section 3 of this chapter."**
 2 Page 2, delete lines 1 through 3.
 3 Page 4, between lines 28 and 29, begin a new paragraph and insert:
 4 "SECTION 5. IC 6-3.1-34 IS ADDED TO THE INDIANA CODE
 5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]:
 7 **Chapter 34. Child and Dependent Care Tax Credit**
 8 **Sec. 1. This chapter applies only to taxable years:**
 9 (1) beginning after December 31, 2012; and
 10 (2) ending before December 1, 2018.
 11 **Sec. 2. As used in this chapter, "applicable percentage" has the**
 12 **meaning set forth in Section 21(a)(2) of the Internal Revenue Code.**
 13 **Sec. 3. As used in this chapter, "eligible employment-related**
 14 **expenses" means the amount of employment-related expenses (as**
 15 **defined in Section 21(b)(2) of the Internal Revenue Code) that**
 16 **remains after applying the dollar limitations of Section 21(c) and**
 17 **21(d) of the Internal Revenue Code.**
 18 **Sec. 4. (a) Subject to subsection (b) and the special rules of**
 19 **Section 21(e) of the Internal Revenue Code, an individual filing a**
 20 **single return or a married couple filing a joint return may claim a**
 21 **credit under this chapter in each taxable year equal to the product**
 22 **of the following:**
 23 (1) Twenty-five percent (25%).
 24 (2) The applicable percentage.
 25 (3) The eligible employment-related expenses paid by the
 26 individual or married couple, as applicable, during the
 27 taxable year.
 28 **(b) An individual filing a single return or a married couple filing**
 29 **a joint return whose federal adjusted gross income (as defined in**
 30 **Section 62 of the Internal Revenue Code) exceeds fifty thousand**
 31 **dollars (\$50,000) for the taxable year is not eligible for the credit**
 32 **provided by this chapter.**
 33 **Sec. 5. If the credit amount provided by this chapter exceeds the**
 34 **taxpayer's adjusted gross income tax liability for the taxable year,**
 35 **the department shall refund the excess to the taxpayer.**
 36 **Sec. 6. To obtain a credit under this chapter, a taxpayer must**
 37 **claim the credit in the manner prescribed by the department. The**
 38 **taxpayer must submit to the department all information that the**
 39 **department determines to be necessary for the calculation of the**
 40 **credit provided by this chapter.**
 41 **Sec. 7. After each state fiscal year ending after January 1, 2013,**
 42 **and before July 1, 2019, the budget agency, in cooperation with the**
 43 **department, shall calculate the total amount of the credit provided**
 44 **by this chapter that was claimed by all taxpayers in the**
 45 **immediately preceding state fiscal year."**
 46 Renumber all SECTIONS consecutively.
 (Reference is to ESB 143 as printed February 21, 2012.)

Representative Day