

SENATE BILL No. 147

By Senator Blasi

2-2

1 AN ACT concerning income taxation; relating to credits; increasing the tax
2 credit amount for adoption expenses ~~and making the credit refundable~~
3 ***{and making the credit refundable}; {increasing the tax credit***
4 ***amount for household and dependent care expenses;}*** amending
5 K.S.A. 79-32,111c and 79-32,202a and repealing the existing ~~section~~
6 ***{ sections}***.
7

8 *Be it enacted by the Legislature of the State of Kansas:*

9 ***{Section 1. K.S.A. 79-32,111c is hereby amended to read as follows:***
10 ***79-32,111c. (a) There shall be allowed as a credit against the tax liability***
11 ***of a resident individual imposed under the Kansas income tax act an***
12 ***amount equal to 12.5% for tax year 2018; an amount equal to 18.75%***
13 ***for tax year 2019; and an amount equal to 25% for tax-year years 2020***
14 ***through 2022; and an amount equal to 50% for tax year 2023, and all tax***
15 ***years thereafter, of the amount of the credit allowed against such***
16 ***taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the***
17 ***taxable year in which such credit was claimed against the taxpayer's***
18 ***federal income tax liability.***

19 ***(b) The credit allowed by subsection (a) shall not exceed the***
20 ***amount of the tax imposed by K.S.A. 79-32,110, and amendments***
21 ***thereto, reduced by the sum of any other credits allowable pursuant to***
22 ***law.***

23 ***(c) No credit provided under this section shall be allowed to any***
24 ***individual who fails to provide a valid social security number issued by***
25 ***the social security administration, to such individual, the individual's***
26 ***spouse and every dependent of the individual.}***

27 ~~Section 1. {Sec. 2.}~~ K.S.A. 79-32,202a is hereby amended to read as
28 follows: 79-32,202a. (a) ~~(1) Commencing in~~ For tax-year years 2014, and
29 ~~all tax years thereafter through 2022,~~ and in addition to the credit provided
30 in subsection (b), there shall be allowed as a credit against the tax liability
31 of a resident individual imposed under the Kansas income tax act an
32 amount equal to: ~~(+)~~ (A) 25% of the amount of the credit allowed against
33 such taxpayer's federal income tax liability pursuant to section 23 of the
34 federal internal revenue code determined without regard to subsection (c)

1 of such section; ~~(2)~~ (B) in addition to subsection (a)(1)(A), 25% of the
2 amount of such federal income tax credit, if the child adopted by the
3 taxpayer was a resident of Kansas prior to such lawful adoption; and ~~(3)~~
4 (C) in addition to subsections (a)(1)(A) and ~~(a)(2)~~ (B), 25% of the amount
5 of such federal income tax credit, if the child adopted by the taxpayer is a
6 child with special needs, as defined in section 23 of the federal internal
7 revenue code, and the child was a resident of Kansas prior to such lawful
8 adoption, for the taxable year in which such credit was claimed against the
9 taxpayer's federal income tax liability.

10 (2) *For tax year 2023, and all tax years thereafter, and in addition to*
11 *the credit provided in subsection (b), there shall be allowed as a credit*
12 *against the tax liability of a resident individual imposed under the Kansas*
13 *income tax act an amount equal to{ (A) } 100% of the amount of the credit*
14 *allowed against such taxpayer's federal income tax liability pursuant to*
15 *section 23 of the federal internal revenue code determined without regard*
16 *to subsection (c) of such section{; and (B) in addition to subsection (a)(2)*
17 *(A), 50% of the amount of such federal income tax credit, if the child*
18 *adopted by the taxpayer is a child with special needs, as defined in*
19 *section 23 of the federal internal revenue code, and the child was a*
20 *resident of Kansas prior to such lawful adoption,} for the taxable year in*
21 *which such credit was claimed against the taxpayer's federal income tax*
22 *liability.*

23 (b)—~~Commencing in~~ For tax year 2014, and all tax years thereafter,
24 there shall be allowed as a credit against the tax liability of a resident
25 individual imposed under the Kansas income tax act an amount equal to
26 \$1,500 for the taxable year in which occurs the lawful adoption of a child
27 in the custody of the secretary for children and families or a child with
28 special needs, whether or not such individual is reimbursed for all or part
29 of qualified adoption expenses or has received a public or private grant
30 therefor. As used in this subsection, terms and phrases shall have the
31 meanings ascribed thereto by the provisions of section 23 of the federal
32 internal revenue code.

33 (c) The credit allowed by subsections ~~(a)(1){(1)}~~ and ~~(b) for tax years~~
34 ~~2014 through 2022{ for tax years 2014 through 2022}~~ shall not exceed the
35 amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto,
36 reduced by the sum of any other credits allowable pursuant to law. If the
37 amount of such tax credit exceeds the taxpayer's income tax liability for
38 such taxable year, the amount thereof ~~which~~ *that* exceeds such tax liability
39 may be carried over for deduction from the taxpayer's income tax liability
40 in the next succeeding taxable year or years until the total amount of the
41 tax credits has been deducted from tax liability.

42 ~~(d) For tax year 2023, and all tax years thereafter, if the amount of~~
43 ~~the credit allowed by subsections (a)(2) and (b) exceeds the taxpayer's-~~

1 ~~income tax liability for such taxable year, the amount thereof that exceeds~~
2 ~~such tax liability shall be refunded to the taxpayer.~~

3 ***{(d) For tax year 2023, and all tax years thereafter, if the amount of***
4 ***the credit allowed by subsections (a)(2) and (b) exceeds the taxpayer's***
5 ***income tax liability for such taxable year, the amount thereof that***
6 ***exceeds such tax liability shall be refunded to the taxpayer.}***

7 Sec.—~~2~~~~{3.}~~ K.S.A. ~~{79-32,111c and} 79-32,202a~~—~~is~~ ~~{are}~~ hereby
8 repealed.

9 Sec. ~~3~~~~{4.}~~ This act shall take effect and be in force from and after its
10 publication in the statute book.