



HOUSE BILL No. 4852

September 23, 1999, Introduced by Reps. Woronchak, DeRossett, Bisbee, Faunce, Julian, Sanborn, Rivet, Toy and Gilbert and referred to the Committee on Tax Policy.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
(MCL 206.1 to 206.532) by adding section 267.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 267. (1) FOR THE 1999 TAX YEAR AND EACH TAX YEAR AFTER
2 THE 1999 TAX YEAR, AN ELIGIBLE TAXPAYER MAY CLAIM A CREDIT
3 AGAINST THE TAX IMPOSED BY THIS ACT EQUAL TO THE TAXPAYER'S QUAL-
4 IFIED ADOPTION EXPENSES OR THE AMOUNT UNDER SECTION 268, WHICH-
5 EVER IS LESS.

6 (2) IF THE CREDIT ALLOWED UNDER THIS SECTION FOR THE TAX
7 YEAR AND ANY UNUSED CARRYFORWARD OF THE CREDIT ALLOWED BY THIS
8 SECTION EXCEED THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR,
9 THAT PORTION THAT EXCEEDS THE TAX LIABILITY FOR THE TAX YEAR
10 SHALL NOT BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX
11 LIABILITY IN SUBSEQUENT TAX YEARS; HOWEVER, THE CREDIT SHALL NOT

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1 BE CARRIED FORWARD TO ANY TAX YEAR FOLLOWING THE FIFTH TAX YEAR
2 AFTER THE TAX YEAR IN WHICH THE ELIGIBLE TAXPAYER FIRST CLAIMED A
3 CREDIT UNDER THIS ACT.

4 (3) AS USED IN THIS SECTION:

5 (A) "ELIGIBLE TAXPAYER" MEANS A TAXPAYER THAT CLAIMED A
6 CREDIT UNDER SECTION 23 OF THE INTERNAL REVENUE CODE FOR THE SAME
7 TAX YEAR THAT THE TAXPAYER IS CLAIMING A CREDIT UNDER THIS
8 SECTION.

9 (B) "QUALIFIED ADOPTION EXPENSES" MEANS ADOPTION EXPENSES
10 USED BY AN ELIGIBLE TAXPAYER TO CLAIM A CREDIT AGAINST THE
11 TAXPAYER'S FEDERAL TAX LIABILITY UNDER SECTION 23 OF THE INTERNAL
12 REVENUE CODE FOR THE SAME TAX YEAR THAT THE TAXPAYER IS CLAIMING
13 A CREDIT UNDER THIS SECTION.

14 Enacting section 1. This amendatory act does not take
15 effect unless House Bill No. 4812 of the 90th Legislature is
16 enacted into law.