

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 443

2023 Regular Session

Edmonds

TAX CREDITS: Establishes a refundable individual income tax credit for certain adoptions

Synopsis of Senate Amendments

1. Prohibit the claiming of credits established pursuant to proposed law for any taxable year beginning after Dec. 31, 2028.

Digest of Bill as Finally Passed by Senate

Proposed law establishes a refundable income tax credit for a taxpayer who adopts a child who is unrelated to the taxpayer and who is no more than two years of age. For purposes of proposed law, the age of the child shall be determined at the time of the adoption placement.

Proposed law provides that the amount of the tax credit shall equal \$5,000 and shall be applicable in the year the adoption of the child becomes final.

Proposed law provides that if the amount of the credit exceeds the taxpayer's tax liability for the taxable year, the excess credit amount shall constitute an overpayment and the secretary shall refund the overpayment from the tax collections imposed in present law.

Proposed law prohibits the tax credit from applying to the adoption of a child from foster care as defined in present law (Ch. C Art. 603). Further prohibits a taxpayer from claiming the credit authorized pursuant to proposed law from also claiming the deduction authorized in present law (R.S. 47:297.21) for the adoption of the same child.

Proposed law requires a taxpayer claiming the credit to maintain all records necessary to verify the adoption and if requested, to provide the records to the Dept. of Revenue when filing the taxpayer's tax return.

Proposed law authorizes the promulgation of rules in accordance with present law (Administrative Procedure Act) to implement the provisions of proposed law, including rules related to the submission of documentation when claiming the credit.

Proposed law prohibits the claiming of credits established pursuant to proposed law for any taxable year beginning after Dec. 31, 2028.

Proposed law is applicable to adoptions finalized on or after Jan. 1, 2023.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 47:297.23)