

HOUSE BILL No. 5167

October 14, 2003, Introduced by Reps. Hoogendyk, Acciavatti, Garfield, Milosch, Drolet, Taub, Kooiman, Voorhees, Vander Veen, Shaffer, Hummel, Hager, Sheen, Robertson, Amos, DeRoche, Huizenga, Casperson, Stakoe, Bradstreet, Gillard, Stahl and Van Regenmorter and referred to the Committee on Tax Policy.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
by amending section 267 (MCL 206.267), as added by 2000 PA 394;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 267. (1) For tax years that begin after December 31,
2 2000, an eligible taxpayer may claim a credit against the tax
3 imposed by this act equal to the ~~amount determined under section~~
4 ~~268.~~ **taxpayer's qualified adoption expenses in excess of the**
5 **amount of credit for qualified adoption expenses the taxpayer**
6 **claimed under section 23 of the internal revenue code or either**
7 **of the following amounts per child, whichever is less:**

8 (a) \$1,200.00.

9 (b) For tax years that begin after December 31, 2002, if the
10 taxpayer adopts a child who was subject to the jurisdiction of

1 the court or was a ward of the state before the adoption became
2 final, \$2,400.00.

3 (2) If the credit allowed under this section for the tax year
4 exceeds the taxpayer's tax liability for the tax year, that
5 portion that exceeds the tax liability for the tax year shall be
6 refunded.

7 (3) The amounts under subsection (1) shall be adjusted
8 annually by the percentage increase in the United States consumer
9 price index for the immediately preceding calendar year.

10 (4) ~~-(3)-~~ As used in this section: ~~—, "eligible~~

11 (a) "Eligible taxpayer" means a taxpayer that claimed a
12 credit under section 23 of the internal revenue code for the same
13 tax year that the taxpayer is claiming a credit under this
14 section.

15 (b) "Qualified adoption expenses" means adoption expenses
16 that are eligible to be used by an eligible taxpayer to claim a
17 credit against the taxpayer's federal tax liability under section
18 23 of the internal revenue code for the same tax year that the
19 taxpayer is claiming a credit under this section.

20 (c) "United States consumer price index" means the United
21 States consumer price index for all urban consumers as defined
22 and reported by the United States department of labor, bureau of
23 labor statistics, and as certified by the state treasurer.

24 Enacting section 1. Section 268 of the income tax act of
25 1967, 1967 PA 281, MCL 206.268, is repealed effective January 1,
26 2003.