



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 101, between lines 8 and 9, begin a new paragraph and insert:
- 2 "SECTION 78. IC 6-3.1-42 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2025 (RETROACTIVE)]:
- 5 **Chapter 42. Tax Credit for Newborn Children**
- 6 **Sec. 1. As used in this chapter, "adjusted gross income" has the**
- 7 **meaning set forth in IC 6-3-1-3.5.**
- 8 **Sec. 2. As used in this chapter, "eligible newborn child" means**
- 9 **a child who is a dependent:**
- 10 **(1) that meets the criteria for an exemption allowed under**
- 11 **Section 151(c)(1)(B) of the Internal Revenue Code (as effective**
- 12 **January 1, 2004); and**
- 13 **(2) in the taxpayer's first taxable year in which that particular**
- 14 **dependent is eligible for the exemption allowed under Section**
- 15 **151(c)(1)(B) of the Internal Revenue Code (as effective**
- 16 **January 1, 2004).**
- 17 **Sec. 3. As used in this chapter, "eligible taxpayer" means a**
- 18 **taxpayer who:**
- 19 **(1) had adjusted gross income not exceeding seven hundred**
- 20 **twenty percent (720%) of the federal poverty level for the**
- 21 **taxable year; and**
- 22 **(2) is a resident or part-year resident of Indiana.**
- 23 **Sec. 4. As used in this chapter, "federal poverty level" refers to**
- 24 **the poverty income guidelines published by the United States**
- 25 **Department of Health and Human Services.**
- 26 **Sec. 5. As used in this chapter, "state income tax liability"**
- 27 **means the taxpayer's total tax liability that is incurred under**
- 28 **IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax), as**

1 computed after the application of the credits that, under
 2 IC 6-3.1-1-2, are to be applied before the credit provided by this
 3 chapter.

4 Sec. 6. As used in this chapter, "taxpayer" means:

- 5 (1) an individual filing a single return;
- 6 (2) a married couple filing a joint return; or
- 7 (3) a married individual filing a separate return.

8 Sec. 7. Subject to section 9 of this chapter, an eligible taxpayer
 9 may be entitled to a credit against the taxpayer's state income tax
 10 liability under this chapter that may be claimed only in the first
 11 taxable year in which a particular eligible newborn child is eligible
 12 for the exemption allowed under Section 151(c)(1)(B) of the
 13 Internal Revenue Code (as effective January 1, 2004).

14 Sec. 8. The amount of the credit allowed under this chapter for
 15 a taxable year is equal to:

- 16 (1) five hundred dollars (\$500) per eligible newborn child, or
- 17 two hundred fifty dollars (\$250) per eligible newborn child in
- 18 the case of a married individual filing a separate return; and
- 19 (2) in the case of a resident taxpayer residing in Indiana for a
- 20 period of less than the taxpayer's entire taxable year, the
- 21 amount of the credit is equal to the product of:
- 22 (A) the amount determined under subdivision (1);
- 23 multiplied by
- 24 (B) the quotient of:
- 25 (i) the taxpayer's income taxable in Indiana; divided by
- 26 (ii) the taxpayer's total income.

27 Sec. 9. The total amount of tax credits awarded under this
 28 chapter may not exceed ten thousand dollars (\$10,000) per
 29 calendar year. The department shall record the date on which a
 30 taxpayer claims the credit under this chapter and allow credits in
 31 chronological order on a first to apply basis. When the total credits
 32 allowed under this section equal the maximum amount under this
 33 section, the department may not thereafter allow any further
 34 credits.

35 Sec. 10. A taxpayer is not entitled to a carryback, carryover, or
 36 refund of an unused credit.

37 Sec. 11. This chapter expires December 31, 2027."

38 Page 169, between lines 1 and 2, begin a new paragraph and insert:
 39 "SECTION 115. [EFFECTIVE JANUARY 1, 2025
 40 (RETROACTIVE)] (a) IC 6-3.1-42, as added by this act, applies to
 41 taxable years beginning after December 31, 2024.

42 (b) This SECTION expires July 1, 2028."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1001 as printed April 11, 2025.)

Senator POL JR.