

# HOUSE BILL No. 1289

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-3-3-11.

**Synopsis:** Income tax credit for donations. Provides for an adjusted gross income tax credit for donations to a public school foundation. Provides that the maximum individual taxpayer credit is \$2,000 in the case of a single return and \$4,000 in the case of a joint return. Provides that the maximum corporate taxpayer credit is the greater of 10% of the corporation's total adjusted gross income tax liability or \$10,000. Makes the credit refundable.

**Effective:** January 1, 2023.

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January 10, 2022, read first time and referred to Committee on Ways and Means.

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Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

# HOUSE BILL No. 1289

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2023]: **Sec. 11. (a) As used in this section, "public  
4 school foundation" refers to a public school foundation that was  
5 established with the participation of a school corporation under  
6 IC 20-26-5-22.5.**

7 **(b) At the election of the taxpayer, a credit is allowed against the  
8 adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7  
9 for the taxable year. Subject to the limitations provided by this  
10 section, the amount of the credit allowed is equal to fifty percent  
11 (50%) of the total amount of charitable contributions made by the  
12 taxpayer during a taxable year to a public school foundation for  
13 use by the public school foundation as provided in IC 20-26-5-22.5.**

14 **(c) In the case of a taxpayer other than a corporation, the  
15 amount allowable as a credit under this section for any taxable  
16 year may not exceed:**

17 **(1) two thousand dollars (\$2,000) in the case of a single**



1           return; or  
2           (2) four thousand dollars (\$4,000) in the case of a joint return.  
3           (d) In the case of a taxpayer that is a corporation, the amount  
4 allowable as a credit under this section for any taxable year may  
5 not exceed the greater of the following amounts:  
6           (1) Ten percent (10%) of the corporation's total adjusted  
7 gross income tax under IC 6-3-1 through IC 6-3-7 for the  
8 taxable year (as determined after applying all other credits  
9 against that tax).  
10          (2) Ten thousand dollars (\$10,000).  
11          (e) If the credit allowed by this section exceeds the amount of the  
12 adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7  
13 for the taxable year, the excess shall be refunded to the taxpayer.  
14          SECTION 2. [EFFECTIVE JANUARY 1, 2023] (a) IC 6-3-3-11,  
15 as added by this act, applies to taxable years beginning after  
16 December 31, 2022.  
17          (b) This SECTION expires June 30, 2024.

