

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 2152

(SENATE AUTHORS: HOUSLEY)

DATE
03/07/2019

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Introduction and first reading
Referred to Taxes

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to taxation; individual income; providing a toddler tax credit; proposing
 1.3 coding for new law in Minnesota Statutes, chapter 290.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[290.0683] TODDLER TAX CREDIT.**

1.6 Subdivision 1. **Credit allowed; limitations.** (a) A taxpayer who is the parent or guardian
 1.7 of a qualifying child may take a credit of \$1,000 per qualifying child against the tax imposed
 1.8 under this chapter. A taxpayer qualifies for the credit authorized under this section if the
 1.9 taxpayer is the parent or guardian of at least one qualifying child.

1.10 (b) For purposes of this section, a "qualifying child" means, with respect to any taxpayer
 1.11 for any taxable year, an individual who:

1.12 (1) has not attained the age of five by the end of the calendar year in which the taxable
 1.13 year of the taxpayer begins;

1.14 (2) is either:

1.15 (i) a child of the taxpayer or a descendant of the child; or

1.16 (ii) a brother, sister, stepbrother or stepsister of the taxpayer or a descendant of the
 1.17 relative; and

1.18 (3) has the same principal place of abode as the taxpayer for more than one-half of the
 1.19 taxable year.

1.20 (c) The credit under this section may not exceed the taxpayer's liability for tax under
 1.21 this chapter.

2.1 (d) In the case of a married claimant, a credit is not allowed unless a joint income tax
2.2 return is filed.

2.3 (e) For a nonresident or part-year resident, the credit determined under this section must
2.4 be allocated based on the percentage calculated under section 290.06, subdivision 2c,
2.5 paragraph (e).

2.6 Subd. 2. **Right to file claim.** The right to file a claim under this section is personal to
2.7 the claimant and does not survive death, but the right may be exercised on behalf of a
2.8 claimant by the claimant's legal guardian or attorney-in-fact. When a claimant dies after
2.9 having filed a timely claim, the credit amount shall be disbursed to another member of the
2.10 claimant's household as determined by the commissioner. If the claimant was the only
2.11 member of a household, the claim may be paid to the claimant's personal representative,
2.12 but if none is appointed and qualified within two years of the filing of the claim, the amount
2.13 of the claim shall escheat to the state.

2.14 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December
2.15 31, 2018.