

118TH CONGRESS
1ST SESSION

H. R. 2510

To amend the Internal Revenue Code of 1986 to make the credit for the adoption of special needs children refundable.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2023

Mr. NUNN of Iowa (for himself and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to make the credit for the adoption of special needs children refundable.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ADOPTION CREDIT FOR SPECIAL NEEDS CHIL-**
4 **DREN MADE REFUNDABLE.**

5 (a) IN GENERAL.—Section 23 of the Internal Rev-
6 enue Code of 1986 is amended by redesignating subsection
7 (i) as subsection (j) and by inserting after subsection (h)
8 the following new subsection:

9 “(i) PORTION OF CREDIT RELATED TO SPECIAL
10 NEEDS CHILDREN MADE REFUNDABLE.—

1 “(1) IN GENERAL.—So much of the credit al-
2 lowed under this section for any taxable year (deter-
3 mined without regard to this subsection and sub-
4 section (c)) as does not exceed the special needs
5 adoption expenses for such taxable year shall be
6 treated as a credit allowed under subpart C (and not
7 allowed under this section).

8 “(2) SPECIAL NEEDS ADOPTION EXPENSES.—
9 For purposes of this subsection, the term ‘special
10 needs adoption expenses’ means, with respect to any
11 taxpayer for any taxable year, the aggregate amount
12 of qualified adoption expenses with respect to adop-
13 tions of children with special needs which is taken
14 into account in determining the credit allowed under
15 this section to such taxpayer for such taxable year
16 (determined without regard to this subsection, sub-
17 section (b)(2), and subsection (c)).”.

18 (b) COORDINATION WITH CARRYFORWARD OF NON-
19 REFUNDABLE PORTION.—Section 23(c)(1) of such Code
20 is amended by striking “under subsection (a)” and insert-
21 ing “under this section (determined after application of
22 subsection (i))”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to taxable years beginning after

1 the later of the date of the enactment of this Act or De-
2 cember 31, 2023.

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