

**SOCIAL SECURITY TAX AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Walt Brooks**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill modifies the individual income tax credit for social security benefits.

**Highlighted Provisions:**

This bill:

- ▶ expands eligibility for the social security benefits tax credit by increasing the thresholds for the income-based phaseout; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides retrospective operation.

**Utah Code Sections Affected:**

AMENDS:

**59-10-1042**, as last amended by Laws of Utah 2023, Chapter 459

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **59-10-1042** is amended to read:

**59-10-1042. Nonrefundable tax credit for social security benefits.**

(1) As used in this section:

(a) "Head of household filing status" means the same as that term is defined in Section



28 59-10-1018.

29 (b) "Joint filing status" means the same as that term is defined in Section 59-10-1018.

30 (c) "Married filing separately status" means a married individual who:

31 (i) does not file a single federal individual income tax return jointly with that married  
32 individual's spouse for the taxable year; and

33 (ii) files a single federal individual income tax return for the taxable year.

34 (d) "Modified adjusted gross income" means the sum of the following for a claimant  
35 or, if the claimant's return under this chapter is allowed a joint filing status, the claimant and  
36 the claimant's spouse:

37 (i) adjusted gross income for the taxable year for which a tax credit is claimed under  
38 this section;

39 (ii) any interest income that is not included in adjusted gross income for the taxable  
40 year described in Subsection (1)(d)(i); and

41 (iii) any addition to adjusted gross income required by Section 59-10-114 for the  
42 taxable year described in Subsection (1)(d)(i).

43 (e) "Single filing status" means a single individual who files a single federal individual  
44 income tax return for the taxable year.

45 (f) "Social security benefit" means an amount received by a claimant as a monthly  
46 benefit in accordance with the Social Security Act, 42 U.S.C. Sec. 401 et seq.

47 (2) Except as provided in Section 59-10-1002.2 and Subsections (3) and (4), each  
48 claimant on a return that receives a social security benefit may claim a nonrefundable tax credit  
49 against taxes otherwise due under this part equal to the product of:

50 (a) the percentage listed in Subsection 59-10-104(2); and

51 (b) the claimant's social security benefit that is included in adjusted gross income on  
52 the claimant's federal income tax return for the taxable year.

53 (3) A claimant may not:

54 (a) carry forward or carry back the amount of a tax credit under this section that  
55 exceeds the claimant's tax liability for the taxable year; or

56 (b) claim a tax credit under this section for a taxable year if a tax credit under Section  
57 59-10-1019 is claimed on the claimant's return for the same taxable year.

58 (4) The tax credit allowed by Subsection (2) claimed on a return filed under this part

59 shall be reduced by \$.025 for each dollar by which modified adjusted gross income for  
60 purposes of the return exceeds:

61 (a) for a federal individual income tax return that is allowed a married filing separately  
62 status, [~~\$37,500~~] \$45,000;

63 (b) for a federal individual income tax return that is allowed a single filing status,  
64 [~~\$45,000~~] \$54,000;

65 (c) for a federal individual income tax return that is allowed a head of household filing  
66 status, [~~\$75,000~~] \$90,000; or

67 (d) [~~for a return under this chapter~~] for a federal individual income tax return that is  
68 allowed a joint filing status, [~~\$75,000~~] \$90,000.

69 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
70 commission may make rules governing the calculation and method for claiming the tax credit  
71 described in this section.

72 **Section 2. Effective date.**

73 This bill takes effect on May 1, 2024.

74 **Section 3. Retrospective operation.**

75 This bill has retrospective operation for a taxable year beginning on or after January 1,  
76 2024.