

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 437

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO
PROVIDE AN INCOME TAX CREDIT FOR DONATIONS TO SPECIALIZED NEEDS RECRE-
ATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 63-3029C, Idaho Code, be, and the same is hereby
amended to read as follows:

63-3029C. INCOME TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS --
LIMITATION. At the election of the taxpayer, there shall be allowed, subject
to the applicable limitations provided herein, as a credit against the in-
come tax imposed by chapter 30, title 63, Idaho Code, an amount equal to fifty
percent (50%) of the aggregate amount of charitable contributions made by
such taxpayer during the year to the anchor house or its foundation, to the
children's home society of Idaho, inc., to the Idaho youth ranch or its foun-
dation, to kinderhaven or its foundation, to the women's and children's al-
liance or its foundation, to children's village, inc. or its foundation, to
Idaho drug free youth, inc. or its foundation, to gem youth services or its
foundation, to the hope house, inc. or its foundation, to the north Idaho
children's home or its foundation, to the shepherd's home, inc. or its foun-
dation, to a project safe place located within the state of Idaho, to the
learning lab, inc. or its foundation, to a center for independent living lo-
cated within the state of Idaho, to project P.A.T.C.H., planned assistance
for troubled children, to a nonprofit substance abuse center licensed by the
department of health and welfare, to specialized needs recreation, or to a
nonprofit rehabilitation facility located within the state of Idaho or its
foundation.

(1) In the case of a taxpayer other than a corporation, the amount al-
lowable as a credit under this section for any taxable year shall not exceed
twenty percent (20%) of such taxpayer's total income tax liability imposed
by section 63-3024, Idaho Code, for the year, or one hundred dollars (\$100),
whichever is less.

(2) In the case of a corporation, the amount allowable as a credit un-
der this section for any taxable year shall not exceed ten percent (10%) of
such corporation's total income or franchise tax liability imposed by sec-
tions 63-3025 and 63-3025A, Idaho Code, for the year, or five hundred dollars
(\$500), whichever is less.

(3) For the purposes of this section, "center for independent living"
shall mean a private, nonprofit, nonresidential organization in which at
least fifty-one percent (51%) of the principal governing board, management
and staff are individuals with disabilities and that:

(a) Is designed and operated within a local community by individuals
with disabilities;

1 (b) Provides an array of independent living services and programs; and

2 (c) Is cross-disability.

3 (4) For the purposes of this section, "nonprofit rehabilitation facil-
4 ity" means only a facility that is accredited by the commission on accredi-
5 tation of rehabilitation facilities or another accreditation organization
6 recognized by the state of Idaho.

7 SECTION 2. An emergency existing therefor, which emergency is hereby
8 declared to exist, this act shall be in full force and effect on and after its
9 passage and approval, and retroactively to January 1, 2012.