

Second Extraordinary Session, 2008

HOUSE BILL NO. 20

BY REPRESENTATIVE GREENE

TAX/INCOME TAX: Authorizes individual income tax deductions for elementary and secondary school tuition and certain educational expenses for home schooling children (Item #7)

1 AN ACT

2 To enact R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11, relative to individual income
3 tax; to provide for a deduction from state income taxes for certain elementary and
4 secondary education tuition; to provide for a deduction from state income taxes for
5 certain educational expenses for home-schooled children; to provide for an effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11 are hereby enacted
9 to read as follows:

10 §293. Definitions

11 The following definitions shall apply throughout this Part, unless the context
12 requires otherwise:

13 * * *

14 (9)(a) "Tax table income", for resident individuals, means adjusted gross
15 income plus interest on obligations of a state or political subdivision thereof, other
16 than Louisiana and its municipalities, title to which obligations vested with the
17 resident individual on or subsequent to January 1, 1980, and less:

18 * * *

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Greene

HB No. 20

Abstract: Authorizes income tax deductions equal to 50% of the actual amount of tuition and fees for attendance in certain parochial or private elementary or secondary schools or certain qualified educational expenses incurred for home schooling children or \$5,000 per student, whichever is less.

Proposed law authorizes an income tax deduction for amounts paid or incurred during the taxable year for tuition and fees required for a student's enrollment in an approved parochial or private elementary or secondary school which complies with the criteria set forth in *Brumfield v. Dodd* and Section 501(c)(3) of the Internal Revenue Code or to any public elementary or secondary school affiliated with a public college or university.

Proposed law limits the deduction to 50% of the actual amount of tuition and fees paid by the taxpayer or \$5,000 per student, whichever is less.

Proposed law authorizes an income tax deduction for educational expenses incurred during the taxable year for home schooling children. Proposed law limits the deduction to 50% of the actual amount of qualified educational expenses incurred by the taxpayer for home schooling each child or \$5,000 per child, whichever is less.

Proposed law prohibits these deductions from exceeding the total taxable income of the individual.

Effective upon signature of governor for all amounts paid on and after Jan. 1, 2009.

(Adds R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11)