



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 101, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 78. IC 6-3.1-42 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2025 (RETROACTIVE)]:
5 **Chapter 42. Tax Credit for Newborn Children**
6 **Sec. 1. As used in this chapter, "adjusted gross income" has the**
7 **meaning set forth in IC 6-3-1-3.5.**
8 **Sec. 2. As used in this chapter, "eligible newborn child" means**
9 **a child who is a dependent:**
10 **(1) that meets the criteria for an exemption allowed under**
11 **Section 151(c)(1)(B) of the Internal Revenue Code (as effective**
12 **January 1, 2004); and**
13 **(2) in the taxpayer's first taxable year in which that particular**
14 **dependent is eligible for the exemption allowed under Section**
15 **151(c)(1)(B) of the Internal Revenue Code (as effective**
16 **January 1, 2004).**
17 **Sec. 3. As used in this chapter, "eligible taxpayer" means a**
18 **taxpayer who:**
19 **(1) had adjusted gross income not exceeding seven hundred**
20 **twenty percent (720%) of the federal poverty level for the**
21 **taxable year; and**
22 **(2) is a resident or part-year resident of Indiana.**
23 **Sec. 4. As used in this chapter, "federal poverty level" refers to**
24 **the poverty income guidelines published by the United States**
25 **Department of Health and Human Services.**
26 **Sec. 5. As used in this chapter, "state income tax liability"**
27 **means the taxpayer's total tax liability that is incurred under**
28 **IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax), as**

1 computed after the application of the credits that, under
2 IC 6-3.1-1-2, are to be applied before the credit provided by this
3 chapter.

4 **Sec. 6. As used in this chapter, "taxpayer" means:**

- 5 (1) an individual filing a single return;
6 (2) a married couple filing a joint return; or
7 (3) a married individual filing a separate return.

8 **Sec. 7. Subject to section 9 of this chapter, an eligible taxpayer**
9 **may be entitled to a credit against the taxpayer's state income tax**
10 **liability under this chapter that may be claimed only in the first**
11 **taxable year in which a particular eligible newborn child is eligible**
12 **for the exemption allowed under Section 151(c)(1)(B) of the**
13 **Internal Revenue Code (as effective January 1, 2004).**

14 **Sec. 8. The amount of the credit allowed under this chapter for**
15 **a taxable year is equal to:**

- 16 (1) five hundred dollars (\$500) per eligible newborn child, or
17 two hundred fifty dollars (\$250) per eligible newborn child in
18 the case of a married individual filing a separate return; and
19 (2) in the case of a resident taxpayer residing in Indiana for a
20 period of less than the taxpayer's entire taxable year, the
21 amount of the credit is equal to the product of:

- 22 (A) the amount determined under subdivision (1);
23 multiplied by
24 (B) the quotient of:
25 (i) the taxpayer's income taxable in Indiana; divided by
26 (ii) the taxpayer's total income.

27 **Sec. 9. The total amount of tax credits awarded under this**
28 **chapter may not exceed ten thousand dollars (\$10,000) per**
29 **calendar year. The department shall record the date on which a**
30 **taxpayer claims the credit under this chapter and allow credits in**
31 **chronological order on a first to apply basis. When the total credits**
32 **allowed under this section equal the maximum amount under this**
33 **section, the department may not thereafter allow any further**
34 **credits.**

35 **Sec. 10. A taxpayer is not entitled to a carryback, carryover, or**
36 **refund of an unused credit.**

37 **Sec. 11. This chapter expires December 31, 2027."**

38 Page 169, between lines 1 and 2, begin a new paragraph and insert:
39 "SECTION 115. [EFFECTIVE JANUARY 1, 2025
40 (RETROACTIVE)] (a) IC 6-3.1-42, as added by this act, applies to
41 taxable years beginning after December 31, 2024.

42 (b) This SECTION expires July 1, 2028."

- 1 Renumber all SECTIONS consecutively.
(Reference is to EHB 1001 as printed April 11, 2025.)

Senator POL JR.