

HOUSE BILL No. 2514

By Committee on Taxation

2-13

9 AN ACT concerning income taxation; relating to credits; income tax paid
10 to another state; amending K.S.A. 2006 Supp. 79-32,111 and repealing
11 the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2006 Supp. 79-32,111 is hereby amended to read
15 as follows: 79-32,111. (a) The amount of income tax paid to another state
16 by a resident individual, resident estate or resident trust on income de-
17 rived from sources in another state shall be allowed as a credit against
18 the tax computed under the provisions of this act. *Income tax paid to*
19 *another state shall be determined without regard to any credit allowed*
20 *by such state.* Such credit shall not be greater in proportion to the tax
21 computed under this act than the adjusted gross income for such year
22 derived in another state while such taxpayer is a resident of this state is
23 to the total Kansas adjusted gross income of the taxpayer. As used in this
24 subsection, state shall have the meaning ascribed thereto by subsection
25 (h) of K.S.A. 79-3271, and amendments thereto. The credit allowable
26 hereunder for income tax paid to a foreign country or political subdivision
27 thereof shall not exceed the difference of such income tax paid less the
28 credit allowable for such income tax paid by the federal internal revenue
29 code. No redetermination of income tax paid for the purposes of deter-
30 mining the credit allowed by this subsection shall be required for the
31 taxable year for which an income tax refund payment pursuant to the
32 provisions of section 18 of article 10 of the Missouri constitution is made,
33 but the income tax paid allowable for credit in the next following taxable
34 year shall be reduced by the amount of such refund amount, ~~except that,~~
35 ~~for tax year 1998, the income tax paid allowable for credit shall be reduced~~
36 ~~by the amount of such refunds made for all taxable years prior to tax year~~
37 ~~1998.~~

38 (b) There shall be allowed as a credit against the tax computed under
39 the provisions of the Kansas income tax act, and acts amendatory thereof
40 and supplemental thereto, on the Kansas taxable income of an individual,
41 corporation or fiduciary the amount determined under the provisions of
42 K.S.A. 79-32,153 to 79-32,158, and amendments thereto.

43 Sec. 2. K.S.A. 2006 Supp. 79-32,111 is hereby repealed.

1 Sec. 3. This act shall take effect and be in force from and after its
2 publication in the statute book.