

## HOUSE BILL No. 2433

By Committee on Taxation

1-11

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1 AN ACT concerning income taxation; relating to credits; qualified tuition  
2 and related expenses.

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

5 Section 1. (a) For all taxable years commencing after December 31,  
6 2011, there shall be allowed as a credit against the tax liability of a resident  
7 individual imposed under the Kansas income tax act an amount equal to  
8 10% of the amount of the credit against such taxpayer's federal income tax  
9 liability pursuant to section 25A of the federal internal revenue code for  
10 the taxable year in which such credit was claimed against the taxpayer's  
11 federal income tax liability, if the qualified tuition and related expenses  
12 were paid to an eligible educational institution located in the state of  
13 Kansas. Except as otherwise provided, as used in this section, terms and  
14 phrases shall have the meanings as defined by the provisions of section  
15 25A of the federal internal revenue code.

16 (b) The credit allowed by subsection (a) shall not exceed the amount  
17 of the tax imposed by the Kansas income tax act, reduced by the sum of  
18 any other credits allowable pursuant to law. If the amount of such tax  
19 credit exceeds the taxpayer's income tax liability for such taxable year, the  
20 amount thereof, which exceeds such tax liability, may be carried over for  
21 deduction from the taxpayer's income tax liability in the next succeeding  
22 taxable year or years until the total amount of the tax credits has been  
23 deducted from tax liability.

24 (c) If, under the provisions of section 25A of the internal revenue  
25 code and the accompanying regulations, the taxpayer is required to return  
26 any part of the credit claimed under section 25A, then the taxpayer shall be  
27 required to make a proportional return of such credit, equal to 10% of the  
28 amount which was required to be returned under section 25A of the  
29 internal revenue code and the accompanying regulations, as claimed under  
30 the provisions of this section to the state of Kansas.

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