MISSISSIPPI LEGISLATURE REGULAR SESSION 2012

By: Representatives Dickson, Huddleston (30th)

To: Ways and Means

HOUSE BILL NO. 430

AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR TAXPAYERS ENROLLED AS AN ELIGIBLE STUDENT AT A COMMUNITY OR JUNIOR COLLEGE, COLLEGE OR UNIVERSITY IN THIS STATE AND WORKING TOWARD AN ASSOCIATE DEGREE OR BACCALAUREATE DEGREE; TO DEFINE "ELIGIBLE STUDENT" FOR PURPOSES OF THIS ACT; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Subject to the provisions of this section, a taxpayer shall be allowed a credit against the income taxes imposed under this chapter for the taxable year during which the taxpayer is an eligible student. In order to be eligible for the credit, a taxpayer must be an eligible student for at least one (1) semester during the taxable year for which the credit is claimed. The credit provided in this section shall not exceed the lesser of Five Hundred Dollars ($500.00) or the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the tax credit may be carried forward to the next three (3) succeeding taxable years.

(2) For the purposes of this section, the term "eligible student" means a taxpayer who:

(a) (i) Is enrolled as a student at a community college or junior college in this state and taking at least six (6) semester hours in pursuit of an associate degree, or

(ii) Holds an associate degree, but not a baccalaureate degree of any kind, and is enrolled as a student at

a college or university in this state and taking at least six (6) semester hours in pursuit of a baccalaureate degree;

(b) Is making steady academic progress toward an associate or baccalaureate degree; and

(c) Has a cumulative grade point average of at least 2.0 on a 4.0 scale.

SECTION 2. Section 1 of this act shall be codified as a separate code section in Chapter 7, Title 27, Mississippi Code of 1972.

SECTION 3. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 4. This act shall take effect and be in force from and after January 1, 2012.