

Senate Bill 457

In The Senate

February 13, 1981	Introduced and referred to Committee on Taxation. Fiscal note requested.
February 18, 1981	Fiscal note returned.
March 11, 1981	Committee recommend bill do not pass.
March 12, 1981	On motion Senate reconsider its action taken on Adverse Committee Report and order printed and placed on second reading. Motion adopted.
March 13, 1981	Bill printed and placed on members' desks.
March 14, 1981	Motion pass consideration.
March 16, 1981	Second reading pass consideration.
March 17, 1981	Second reading do pass as amended.
March 18, 1981	Correctly engrossed.
March 19, 1981	Third reading passed.

In The House

March 20, 1981	Introduced and referred to Committee on Taxation.
April 1, 1981	Committee recommend bill not concurred.

In The Senate

April 2, 1981	Returned from House not concurred.
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Sen. Dore BILL NO. *457*

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW AN INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS TO A NONPROFIT CORPORATION, FUND, FOUNDATION, TRUST, OR ASSOCIATION ORGANIZED AND OPERATED EXCLUSIVELY FOR THE BENEFIT OF NONPROFIT INSTITUTIONS OF HIGHER LEARNING OR NONPROFIT PRIVATE INSTITUTIONS OF ELEMENTARY OR SECONDARY EDUCATION."

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

Section 1. Income tax credit for charitable contributions for education -- limitation. (1) At the election of a taxpayer, there shall be allowed, subject to the applicable limitations provided in this section, as a credit against the tax imposed by 15-30-103 through 15-30-105 or by Title 15, chapter 31, parts 1 through 4, an amount equal to 50% of the aggregate amount of charitable contributions made by the taxpayer during the taxable year to a nonprofit corporation, fund, foundation, trust, or association organized and operated exclusively for the benefit of nonprofit institutions of higher learning located within the state of Montana or to nonprofit private institutions of elementary or secondary education located within the state of Montana.

(2) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this section for any taxable year may not exceed 20% of such taxpayer's total income tax liability imposed by 15-30-103 through 15-30-105 for the taxable year or \$50, whichever is less.

(3) In the case of a corporation, the amount allowable as a credit under this section for any taxable year may not exceed 10% of such corporation's total income or license tax liability imposed by Title 15, chapter 31, parts 1 through 4, for the taxable year or \$500, whichever is less.

(4) For the purposes of this section, "institution of higher learning" means an educational institution located within this state meeting all of the following requirements:

(a) It maintains a regular faculty and curriculum and has a regularly enrolled body of students in attendance at the place where its educational activities are carried on.

(b) It regularly offers education above the 12th grade.

(c) It is a unit of the Montana university system or is accredited by a national or regional accrediting agency recognized by the board of regents.

(5) For the purposes of this section, a private nonprofit institution of elementary or secondary education must be accredited by the board of public education.

-End-
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INTRODUCED BILL
SB 457

STATE OF MONTANA

REQUEST NO. 371-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, , 19 81 , there is hereby submitted a Fiscal Note for SENATE BILL 457 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

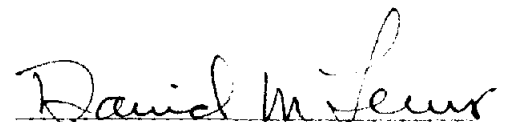
DESCRIPTION

An act to allow an income tax credit for charitable contributions to a nonprofit corporation, fund, foundation, trust, or association organized and operated exclusively for the benefit of nonprofit institutions of higher learning or nonprofit private institutions of elementary or secondary education.

FISCAL IMPACT

There are no data available to estimate the fiscal impact of the proposed legislation.

PREPARED BY THE DEPARTMENT OF REVENUE.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/17/81

Committee
on Taxation
Objection Raised to
Adverse Committee Report

1 *Sen. Bill* BILL NO. *457*
2 INTRODUCED BY *Born*-----
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW AN INCOME TAX
5 CREDIT FOR CHARITABLE CONTRIBUTIONS TO A NONPROFIT
6 CORPORATION, FUND, FOUNDATION, TRUST, OR ASSOCIATION
7 ORGANIZED AND OPERATED EXCLUSIVELY FOR THE BENEFIT OF
8 NONPROFIT INSTITUTIONS OF HIGHER LEARNING OR NONPROFIT
9 PRIVATE INSTITUTIONS OF ELEMENTARY OR SECONDARY EDUCATION."

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13 contributions for education -- limitation. (1) At the
14 election of a taxpayer, there shall be allowed, subject to
15 the applicable limitations provided in this section, as a
16 credit against the tax imposed by 15-30-103 through
17 15-30-105 or by Title 15, chapter 31, parts 1 through 4, an
18 amount equal to 50% of the aggregate amount of charitable
19 contributions made by the taxpayer during the taxable year
20 to a nonprofit corporation, fund, foundation, trust, or
21 association organized and operated exclusively for the
22 benefit of nonprofit institutions of higher learning located
23 within the state of Montana or to nonprofit private
24 institutions of elementary or secondary education located
25 within the state of Montana.

1 (2) In the case of a taxpayer other than a
2 corporation, the amount allowable as a credit under this
3 section for any taxable year may not exceed 20% of such
4 taxpayer's total income tax liability imposed by 15-30-103
5 through 15-30-105 for the taxable year or \$50, whichever is
6 less.

7 (3) In the case of a corporation, the amount allowable
8 as a credit under this section for any taxable year may not
9 exceed 10% of such corporation's total income or license tax
10 liability imposed by Title 15, chapter 31, parts 1 through
11 4, for the taxable year or \$500, whichever is less.

12 (4) For the purposes of this section, "institution of
13 higher learning" means an educational institution located
14 within this state meeting all of the following requirements:

15 (a) It maintains a regular faculty and curriculum and
16 has a regularly enrolled body of students in attendance at
17 the place where its educational activities are carried on.

18 (b) It regularly offers education above the 12th
19 grade.

20 (c) It is a unit of the Montana university system or
21 is accredited by a national or regional accrediting agency
22 recognized by the board of regents.

23 (5) For the purposes of this section, a private
24 nonprofit institution of elementary or secondary education
25 must be accredited by the board of public education.

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INTRODUCED BY DOVER

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-End-