

1 HB48  
2 155402-1  
3 By Representatives Lee and Henry  
4 RFD: Ways and Means Education  
5 First Read: 14-JAN-14  
6 PFD: 11/18/2013

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8 SYNOPSIS: Under existing law, an income tax credit is  
9 not provided for a private intrastate adoption or  
10 the adoption of a qualified foster child.

11 This bill would provide an income tax credit  
12 for a private intrastate adoption or the adoption  
13 of a qualified foster child.

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15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to tax credit; to provide definitions; and  
20 to provide a tax credit for a private intrastate adoption or  
21 the adoption of a qualified foster child.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. As used in this act, the following terms  
24 shall have the following meanings:

25 (1) QUALIFIED FOSTER CHILD. Any individual who:

26 (a) is in the permanent legal custody of the Alabama  
27 Department of Human Resources; and/or

1 (b) is placed in a licensed or approved foster home  
2 by the Alabama Department of Human Resources for the purpose  
3 of adoption pursuant to an approved case plan.

4 (2) PRIVATE INTRASTATE ADOPTION. An adoption through  
5 a private agency in which the birth mother, the baby, and the  
6 adoptive parent(s) reside in Alabama.

7 (3) COMMISSIONER. The Commissioner of Revenue of the  
8 State of Alabama.

9 Section 2. A taxpayer shall be allowed a one time,  
10 refundable credit against the tax imposed by Section 40-18-2,  
11 Code of Alabama 1975, for a private intrastate adoption or the  
12 adoption of a qualified foster child. The amount of such  
13 credit shall be \$1,000.00 per child adopted through a private  
14 intrastate adoption or qualified foster child to be claimed in  
15 the year in which the adoption becomes final.

16 Section 3. The commissioner shall be authorized to  
17 promulgate any rules and regulations necessary to implement  
18 and administer this section.

19 Section 4. The income tax credit pursuant to this  
20 act shall be effective January 1, 2014, for the 2014 taxable  
21 year and subsequent taxable years thereafter.

22 Section 5. This act shall become effective  
23 immediately following its passage and approval by the  
24 Governor, or its otherwise becoming law.