

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1373

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 43-1089.01, Arizona Revised Statutes, is amended  
3 to read:

4 43-1089.01. Tax credit: public schools; educational activities:  
5 definitions

6 A. A credit is allowed against the taxes imposed by this title for the  
7 amount of any fees or cash contributions by a taxpayer or on the taxpayer's  
8 behalf pursuant to section 43-401, subsection I during the taxable year to a  
9 public school located in this state for the support of ~~extracurricular~~  
10 ~~activities or character education programs of~~ EDUCATIONAL ACTIVITIES THAT ARE  
11 SPONSORED AND SANCTIONED BY the public school, but not exceeding:

12 1. Two hundred dollars for a single individual or a head of household.

13 2. Three hundred dollars in taxable year 2005 for a married couple  
14 filing a joint return.

15 3. Four hundred dollars in taxable year 2006 and any subsequent  
16 taxable year for a married couple filing a joint return.

17 B. A husband and wife who file separate returns for a taxable year in  
18 which they could have filed a joint return may each claim only one-half of  
19 the tax credit that would have been allowed for a joint return.

20 C. The credit allowed by this section is in lieu of any deduction  
21 pursuant to section 170 of the internal revenue code and taken for state tax  
22 purposes.

23 D. If the allowable tax credit exceeds the taxes otherwise due under  
24 this title on the claimant's income, or if there are no taxes due under this  
25 title, the taxpayer may carry the amount of the claim not used to offset the  
26 taxes under this title forward for not more than five consecutive taxable  
27 years' income tax liability.

1           E. The ~~site council~~ PRINCIPAL of the public school that receives  
2 contributions that are not designated for a specific purpose shall determine  
3 how the contributions are used at the school site. ~~If a charter school does~~  
4 ~~not have a site council, the principal, director or chief administrator of~~  
5 ~~the charter school shall determine how the contributions that are not~~  
6 ~~designated for a specific purpose are used at the school site.~~ If at the end  
7 of a fiscal year a public school has unspent contributions that were  
8 previously designated for a specific purpose or program and that purpose or  
9 program has been discontinued or has not been used for two consecutive fiscal  
10 years, these contributions shall be considered undesignated in the following  
11 fiscal year for the purposes of this subsection.

12           ~~F. A public school that receives fees or a cash contribution pursuant~~  
13 ~~to subsection A of this section shall report to the department, in a form~~  
14 ~~prescribed by the department, by February 28 of each year the following~~  
15 ~~information:~~

16           ~~1. The total number of fee and cash contribution payments received~~  
17 ~~during the previous calendar year.~~

18           ~~2. The total dollar amount of fees and contributions received during~~  
19 ~~the previous calendar year.~~

20           ~~3. The total dollar amount of fees and contributions spent by the~~  
21 ~~school during the previous calendar year, categorized by specific~~  
22 ~~extracurricular activity or character education program.~~

23           ~~G.~~ F. For the purposes of this section:

24           ~~1. "Character education programs" means a program described in section~~  
25 ~~15-719.~~

26           ~~2. "Extracurricular activities" means school sponsored activities that~~  
27 ~~require enrolled students to pay a fee in order to participate, including~~  
28 ~~fees for:~~

29           ~~(a) Band uniforms.~~

30           ~~(b) Equipment or uniforms for varsity athletic activities.~~

31           ~~(c) Scientific laboratory materials.~~

1           ~~(d) In-state or out-of-state trips that are solely for competitive~~  
2           ~~events. Extracurricular activities do not include any senior trips or events~~  
3           ~~that are recreational, amusement or tourist activities.~~

4           1. "EDUCATIONAL ACTIVITIES" MEANS ANY ACTIVITY THAT IS SPONSORED AND  
5           SANCTIONED BY THE PUBLIC SCHOOL AND THAT PROMOTES STUDENT LEARNING AND  
6           ACHIEVEMENT, INCLUDING EXTRACURRICULAR ACTIVITIES, ACTIVITIES THAT LEAD TO  
7           COLLEGE AND CAREER READINESS, ACTIVITIES THAT MEET THE STUDENTS' NEEDS,  
8           EQUIPMENT, MATERIALS, FEES, TUITION AND ANY OTHER FINANCIAL OBLIGATION OF THE  
9           STUDENT OR PUBLIC SCHOOL THAT PROMOTES LEARNING AND STUDENT ACHIEVEMENT.  
10          EDUCATIONAL ACTIVITIES DO NOT INCLUDE EMPLOYEE SALARIES OR BENEFITS.

11          ~~3.~~ 2. "Public school" means a school that is part of a school  
12          district, a joint technical education district or a charter school."

13 Amend title to conform

DON SHOOTER

2/9/12  
4:04 PM  
S: KY/ly