



Bill Number: S.B. 1828

Fann Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

Individual Income Tax

1. Directs, by September 30, 2022, the Director of the Joint Legislative Budget Committee (JLBC) and the Director of the Governor's Office of Strategic Planning and Budgeting (OSPB) to notify the Arizona Department of Revenue (ADOR) whether the FY 2022 state General Fund (GF) revenue was \$12,782,800,000 or more (FY 2022 revenue notice).
2. Directs, by September 30, 2023, and by September 30 annually until a state GF threshold notice is provided to ADOR, the Director of JLBC and the Director of OSPB to notify ADOR whether the previous FYs state GF revenue was either:
 - a) between \$12,782,800,000 and \$12,976,300,000 (stage one revenue notice); or
 - b) \$12,976,300,000 or more (stage two revenue notice).
3. Replaces, for taxable years (TYs) beginning January 1, 2022, through December 31 of the year the FY 2022 revenue notice or the stage one revenue notice is received, the modified individual income tax bracket with the following:

| Single or Married Filing Separately | | Married Couple or Head of Household | |
|-------------------------------------|---|-------------------------------------|---|
| Taxable Income | Tax | Taxable Income | Tax |
| \$0 - \$27,272 | 2.55% of taxable income | \$0 - \$54,544 | 2.55% of taxable income |
| \$27,273 and over | \$695, plus 2.98% of the amount over \$27,272 | \$54,545 and over | \$1,391, plus 2.98% of the amount over \$54,544 |

Amendment explanation prepared by Molly Graver

6/22/2021

- Requires ADOR, on receipt of the FY 2022 revenue notice or the stage one revenue notice, to use the following tax rates beginning January 1 of the following TY, which applies until ADOR receives the stage two revenue notice:

| Single or Married Filing Separately | | Married Couple or Head of Household | |
|-------------------------------------|---|-------------------------------------|---|
| Taxable Income | Tax | Taxable Income | Tax |
| \$0 - \$27,272 | 2.53% of taxable income | \$0 - \$54,544 | 2.53% of taxable income |
| \$27,273 and over | \$690, plus 2.75% of the amount over \$27,272 | \$54,545 and over | \$1,380, plus 2.75% of the amount over \$54,544 |

- Requires ADOR, on receipt of the stage two revenue notice, to use the 2.5 percent flat tax rate beginning January 1 of the following TY.
- Stipulates that the stage one revenue notice is not required if the FY 2022 revenue notice was provided by September 30, 2022.
- Requires the Director of JLBC and the Director of the OSPB to notify ADOR of the stage one revenue notice and the stage two revenue notice only on the first occurrence of each threshold being met.
- Directs ADOR, for TYs beginning January 1, 2022, to adjust the income dollar amount to the nearest whole dollar for each rate bracket according to the average annual change in the Metropolitan Phoenix Consumer Price Index.
- Prohibits the income dollar amounts for each rate bracket from being revised below the amounts prescribed in the prior TY.
- Removes the combined individual income tax rate cap of 4.5 percent on an individual's taxable income.
- Removes ADOR's rulemaking authority and one-year exemption for the administration of the combined tax rate cap.

Urban Revenue Sharing Fund (URS Fund)

- Increases, beginning in FY 2024, the URS Fund annual distribution to 18 percent of the net proceeds of state income taxes, from 15 percent, and removes the Revenue Sharing Stabilization Fund.
- Removes the FY 2024 supplemental allocation to the URS Fund.

Unemployment Insurance (UI)

14. Delays, until July 1, 2022, the increase to the amount an individual may earn with no reduction to their weekly benefit amount.
15. Delays, until July 1, 2022, the reduction of the maximum number of weeks an individual may receive UI benefits when Arizona's unemployment rate is less than 5 percent in the prior calendar quarter.
16. Removes the conditional enactment for the provisions relating to UI benefits.

Tax Credits

17. Removes the Dependent Tax Credit increase.
18. Removes the Affordable Housing Premium Tax Credit and the individual and corporate Affordable Housing Tax Credits.
19. Removes the extension and modification of the Credit for Investment in Qualified Small Businesses.

Miscellaneous

20. Reduces the percentage of assessed valuation of class 1 property over four years by lowering the percentage by .5 percent annually to 16 percent.
21. Modifies the income tax subtraction for contributions in aid of construction, retroactive to January 1, 2020, by allowing a public service corporation operating a water system or sewage disposal facility to subtract the amount of monies or property received as a contribution in aid of construction from their Arizona gross income.
22. Defines, retroactive to January 1, 2021, *qualifying foster care charitable organization* and *qualified individual* for the purposes of the Tax Credit for Contributions to Qualifying Foster Care Charitable Organizations.
23. Defines terms.
24. Makes technical and conforming changes.

FANN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1828
(Reference to printed bill)

- 1 Page 4, strike lines 24 through 45
- 2 Strike pages 5 through 7
- 3 Page 8, strike lines 1 through 11
- 4 Renumber to conform
- 5 Page 14, line 27, after "~~dollars~~" insert "\$30 THROUGH JUNE 30, 2022 AND FROM AND
- 6 AFTER JUNE 30, 2022 THAT IS IN EXCESS OF"
- 7 Page 15, strike lines 29 through 44
- 8 Strike pages 16 through 21
- 9 Page 22, strike lines 1 through 20
- 10 Renumber to conform
- 11 Page 76, line 44, after "2022" insert "THROUGH DECEMBER 31, 2023"
- 12 After line 44, insert:
- 13 "14. SIXTEEN AND ONE-HALF PERCENT BEGINNING FROM AND AFTER DECEMBER
- 14 31, 2023 THROUGH DECEMBER 31, 2024.
- 15 15. SIXTEEN PERCENT BEGINNING FROM AND AFTER DECEMBER 31, 2024."
- 16 Strike page 77
- 17 Page 78, strike lines 1 through 12, insert:
- 18 "Sec. 11. Section 43-206, Arizona Revised Statutes, is amended to
- 19 read:
- 20 43-206. Urban revenue sharing fund; allocation; distribution;
- 21 withholding
- 22 A. The urban revenue sharing fund is established. THROUGH FISCAL
- 23 YEAR 2022-2023, the fund ~~shall consist~~ CONSISTS of an amount equal to
- 24 fifteen percent of the net proceeds of the state income taxes for the
- 25 fiscal year two years preceding the current fiscal year. BEGINNING IN
- 26 FISCAL YEAR 2023-2024, THE FUND CONSISTS OF AN AMOUNT EQUAL TO EIGHTEEN

1 PERCENT OF THE NET PROCEEDS OF THE STATE INCOME TAXES FOR THE FISCAL YEAR
2 TWO YEARS PRECEDING THE CURRENT FISCAL YEAR. The fund shall be distributed
3 to incorporated cities and towns as provided in this section, except that a
4 city or town shall receive at least an amount equal to what a city or town
5 with a population of fifteen hundred or more persons would receive. The
6 transfer of net proceeds prescribed by section 49-282, subsection B does
7 not affect the calculation of net proceeds prescribed by this subsection.

8 B. Each city or town shall share in the urban revenue sharing fund
9 in the proportion that the population of each bears to the population of
10 all. Except as provided by sections 42-5033 and 42-5033.01, the population
11 of a city or town as determined by the most recent United States decennial
12 census plus any revisions to the decennial census certified by the United
13 States bureau of the census shall be used as the basis for apportioning
14 monies pursuant to this subsection.

15 C. The treasurer, on instruction from the department, shall
16 transmit, ~~no~~ NOT later than the tenth day of each month, to each city or
17 town an amount equal to one-twelfth of that city's or town's total
18 entitlement for the current fiscal year from the urban revenue sharing fund
19 as determined by the department.

20 D. A newly incorporated city or town shall share in the urban
21 revenue sharing fund beginning the first month of the first full fiscal
22 year following incorporation.

23 E. On receipt of a certificate of default from the greater Arizona
24 development authority pursuant to section 41-2257 or 41-2258, the state
25 treasurer, to the extent not otherwise expressly prohibited by law, shall
26 withhold from the next succeeding distribution of monies pursuant to this
27 section due to the city or town the amount specified in the certificate of
28 default and immediately deposit the amount withheld in the greater Arizona
29 development authority revolving fund. The state treasurer shall continue
30 to withhold and deposit the monies until the authority certifies to the
31 state treasurer that the default has been cured. ~~In no event shall~~ The

1 state treasurer MAY NOT withhold any amount that is necessary, as certified
2 by the defaulting political subdivision to the state treasurer and the
3 authority, to make any required deposits then due for the payment of
4 principal and interest on bonds of the political subdivision that were
5 issued ~~prior to~~ BEFORE the date of the loan repayment agreement or bonds
6 and that have been secured by a pledge of distributions made pursuant to
7 this section.

8 F. Except as otherwise provided by this subsection, on notice from
9 the attorney general pursuant to section 41-194.01, subsection B, paragraph
10 1 that an ordinance, regulation, order or other official action adopted or
11 taken by the governing body of a city or town violates state law or the
12 Constitution of Arizona, the state treasurer shall withhold the
13 distribution of monies pursuant to this section to the affected city or
14 town and shall continue to withhold monies pursuant to this subsection
15 until the attorney general certifies to the state treasurer that the
16 violation has been resolved. The state treasurer shall redistribute the
17 monies withheld pursuant to this subsection among all other cities and
18 towns in proportion to their population as provided by subsection B of this
19 section. The state treasurer shall not withhold any amount that the city
20 or town certifies to the attorney general and the state treasurer as being
21 necessary to make any required deposits or payments for debt service on
22 bonds or other long-term obligations of the city or town that were issued
23 or incurred before committing the violation."

24 Page 78, strike lines 28 through 45

25 Page 79, strike lines 1 through 22, insert:

26 "Sec. 13. Title 43, chapter 2, article 3, Arizona Revised Statutes,
27 is amended by adding section 43-243, to read:

28 43-243. State general fund revenue notification; tax rate
29 adjustment

30 A. ON OR BEFORE SEPTEMBER 30, 2022, THE DIRECTOR OF THE JOINT
31 LEGISLATIVE BUDGET COMMITTEE AND THE DIRECTOR OF THE GOVERNOR'S OFFICE OF

1 STRATEGIC PLANNING AND BUDGETING SHALL JOINTLY NOTIFY THE DEPARTMENT
2 WHETHER THE FISCAL YEAR 2021-2022 STATE GENERAL FUND REVENUE, EXCLUDING THE
3 BEGINNING BALANCE, WAS \$12,782,800,000 OR MORE.

4 B. ON OR BEFORE SEPTEMBER 30, 2023 AND ON OR BEFORE SEPTEMBER 30 OF
5 EACH YEAR UNTIL THE NOTICE IS PROVIDED AS PRESCRIBED IN SUBSECTION A OF
6 THIS SECTION OR PARAGRAPH 1 OF THIS SUBSECTION, AND PARAGRAPH 2 OF THIS
7 SUBSECTION, THE DIRECTOR OF THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE
8 DIRECTOR OF THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING SHALL
9 JOINTLY NOTIFY THE DEPARTMENT WHETHER THE PREVIOUS FISCAL YEAR STATE
10 GENERAL FUND REVENUE, EXCLUDING THE BEGINNING BALANCE, WAS EITHER OF THE
11 FOLLOWING AMOUNTS:

12 1. MORE THAN \$12,782,800,000 BUT LESS THAN \$12,976,300,000. THE
13 NOTICE REQUIRED PURSUANT TO THIS PARAGRAPH IS NOT REQUIRED IF THE NOTICE
14 REQUIRED PURSUANT TO SUBSECTION A OF THIS SECTION WAS PROVIDED ON OR BEFORE
15 SEPTEMBER 30, 2022.

16 2. \$12,976,300,000 OR MORE.

17 C. ON RECEIPT OF THE NOTICE REQUIRED PURSUANT TO SUBSECTION A OR
18 SUBSECTION B, PARAGRAPH 1 OF THIS SECTION, THE DEPARTMENT SHALL USE THE TAX
19 RATES PROVIDED IN SECTION 43-1011, SUBSECTION A, PARAGRAPH 8 FOR TAXABLE
20 YEARS BEGINNING FROM AND AFTER DECEMBER 31 OF THE YEAR IN WHICH THE NOTICE
21 REQUIRED PURSUANT TO SUBSECTION A OR SUBSECTION B, PARAGRAPH 1 OF THIS
22 SECTION IS RECEIVED. THE TAX RATE PRESCRIBED IN SECTION 43-1011, SUBSECTION
23 A, PARAGRAPH 8 APPLIES UNTIL THE DEPARTMENT RECEIVES THE NOTICE REQUIRED
24 PURSUANT TO SUBSECTION B, PARAGRAPH 2 OF THIS SECTION.

25 D. ON RECEIPT OF THE NOTICE REQUIRED PURSUANT TO SUBSECTION B,
26 PARAGRAPH 2 OF THIS SECTION, THE DEPARTMENT SHALL USE THE TAX RATES
27 PROVIDED IN SECTION 43-1011, SUBSECTION A, PARAGRAPH 9 FOR TAXABLE YEARS
28 BEGINNING FROM AND AFTER DECEMBER 31 OF THE YEAR IN WHICH THE NOTICE
29 REQUIRED PURSUANT TO SUBSECTION B, PARAGRAPH 2 OF THIS SECTION IS RECEIVED.

30 E. THE DIRECTOR OF THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE
31 DIRECTOR OF THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING SHALL

1 NOTIFY THE DEPARTMENT AS REQUIRED PURSUANT TO SUBSECTION B, PARAGRAPHS 1
2 AND 2 OF THIS SECTION ONLY ON THE FIRST OCCURRENCE THAT EACH STATE GENERAL
3 FUND REVENUE THRESHOLD IS MET."

4 Renumber to conform

5 Page 84, strike lines 11 through 27, insert:

6 "7. SUBJECT TO SUBSECTIONS E AND F OF THIS SECTION, FOR TAXABLE
7 YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2021 THROUGH DECEMBER 31 OF THE
8 YEAR IN WHICH NOTICE IS PROVIDED TO THE DEPARTMENT PURSUANT TO SECTION
9 43-243, SUBSECTION A OR SUBSECTION B, PARAGRAPH 1:

10 (a) IN THE CASE OF A SINGLE PERSON OR A MARRIED PERSON FILING
11 SEPARATELY:

| <u>IF TAXABLE INCOME IS:</u> | <u>THE TAX IS:</u> |
|------------------------------|--|
| \$0 – \$27,272 | 2.55% OF TAXABLE INCOME |
| \$27,273 AND OVER | \$695, PLUS 2.98% OF THE AMOUNT OVER \$27,272 |

16 (b) IN THE CASE OF A MARRIED COUPLE FILING A JOINT RETURN OR A
17 SINGLE PERSON WHO IS A HEAD OF A HOUSEHOLD:

| <u>IF TAXABLE INCOME IS:</u> | <u>THE TAX IS:</u> |
|------------------------------|--|
| \$0 – \$54,544 | 2.55% OF TAXABLE INCOME |
| \$54,545 AND OVER | \$1,391, PLUS 2.98% OF THE AMOUNT OVER \$54,544 |

22 8. SUBJECT TO SUBSECTIONS E AND F OF THIS SECTION, FOR TAXABLE YEARS
23 BEGINNING FROM AND AFTER DECEMBER 31 OF THE YEAR IN WHICH NOTICE IS
24 PROVIDED TO THE DEPARTMENT PURSUANT TO SECTION 43-243, SUBSECTION A OR
25 SUBSECTION B, PARAGRAPH 1 THROUGH DECEMBER 31 OF THE YEAR IN WHICH NOTICE
26 IS PROVIDED TO THE DEPARTMENT PURSUANT TO SECTION 43-243, SUBSECTION B,
27 PARAGRAPH 2:

28 (a) IN THE CASE OF A SINGLE PERSON OR A MARRIED PERSON FILING
29 SEPARATELY:

| <u>IF TAXABLE INCOME IS:</u> | <u>THE TAX IS:</u> |
|------------------------------|-------------------------|
| \$0 – \$27,272 | 2.53% OF TAXABLE INCOME |

1 \$27,273 AND OVER \$690, PLUS 2.75% OF THE AMOUNT
2 OVER \$27,272

3 (b) IN THE CASE OF A MARRIED COUPLE FILING A JOINT RETURN OR A
4 SINGLE PERSON WHO IS A HEAD OF A HOUSEHOLD:

| 5 <u>IF TAXABLE INCOME IS:</u> | 5 <u>THE TAX IS:</u> |
|---------------------------------|--|
| 6 \$0 – \$54,544 | 6 2.53% OF TAXABLE INCOME |
| 7 \$54,545 AND OVER | 7 \$1,380, PLUS 2.75% OF THE AMOUNT 8 OVER \$54,544 |

9 9. SUBJECT TO SUBSECTION F OF THIS SECTION, FOR TAXABLE YEARS
10 BEGINNING FROM AND AFTER DECEMBER 31 OF THE YEAR IN WHICH NOTICE IS
11 PROVIDED TO THE DEPARTMENT PURSUANT TO SECTION 43-243, SUBSECTION B,
12 PARAGRAPH 2, THE TAX IS 2.5% OF TAXABLE INCOME."

13 Page 85, strike lines 10 through 19, insert:

14 "E. FOR EACH TAXABLE YEAR BEGINNING FROM AND AFTER DECEMBER 31,
15 2021, THE DEPARTMENT SHALL ADJUST THE INCOME DOLLAR AMOUNT FOR EACH RATE
16 BRACKET PRESCRIBED BY SUBSECTION A, PARAGRAPHS 7 AND 8 OF THIS SECTION, AS
17 APPLICABLE, ACCORDING TO THE AVERAGE ANNUAL CHANGE IN THE METROPOLITAN
18 PHOENIX CONSUMER PRICE INDEX PUBLISHED BY THE UNITED STATES DEPARTMENT OF
19 LABOR, BUREAU OF LABOR STATISTICS. THE REVISED DOLLAR AMOUNTS SHALL BE
20 RAISED TO THE NEAREST WHOLE DOLLAR. THE INCOME DOLLAR AMOUNTS FOR EACH
21 RATE BRACKET MAY NOT BE REVISED BELOW THE AMOUNTS PRESCRIBED IN THE PRIOR
22 TAXABLE YEAR."

23 Page 91, strike lines 10 through 45

24 Strike pages 92 and 93

25 Page 94, strike lines 1 through 7

26 Renumber to conform

27 Page 98, strike lines 31 through 43

28 Strike pages 99 and 100, insert:

29 "Sec. 20. Section 43-1122, Arizona Revised Statutes, is amended to
30 read:

31 43-1122. Subtractions from Arizona gross income; corporations

1 In computing Arizona taxable income for a corporation, the following
2 amounts shall be subtracted from Arizona gross income:

3 1. The excess of a partner's share of income required to be included
4 under section 702(a)(8) of the internal revenue code over the income
5 required to be included under chapter 14, article 2 of this title.

6 2. The excess of a partner's share of partnership losses determined
7 pursuant to chapter 14, article 2 of this title over the losses allowable
8 under section 702(a)(8) of the internal revenue code.

9 3. The amount allowed by section 43-1025 for contributions during
10 the taxable year of agricultural crops to charitable organizations.

11 4. The portion of any wages or salaries paid or incurred by the
12 taxpayer for the taxable year that is equal to the amount of the federal
13 work opportunity credit, the empowerment zone employment credit, the credit
14 for employer paid social security taxes on employee cash tips and the
15 Indian employment credit that the taxpayer received under sections 45A,
16 45B, 51(a) and 1396 of the internal revenue code.

17 5. With respect to property that is sold or otherwise disposed of
18 during the taxable year by a taxpayer that complied with section 43-1121,
19 paragraph 4 with respect to that property, the amount of depreciation that
20 has been allowed pursuant to section 167(a) of the internal revenue code to
21 the extent that the amount has not already reduced Arizona taxable income
22 in the current taxable year or prior taxable years.

23 6. With respect to a financial institution as defined in section
24 6-101, expenses and interest relating to tax-exempt income disallowed
25 pursuant to section 265 of the internal revenue code.

26 7. Dividends received from another corporation owned or controlled
27 directly or indirectly by a recipient corporation. For the purposes of
28 this paragraph, "control" means direct or indirect ownership or control of
29 fifty percent or more of the voting stock of the payor corporation by the
30 recipient corporation. Dividends shall have the meaning provided in
31 section 316 of the internal revenue code. This subtraction shall apply

1 without regard to section 43-961, paragraph 2 and article 4 of this
2 chapter.

3 8. Interest income received on obligations of the United States.

4 9. The amount of dividend income from foreign corporations. For the
5 purposes of this paragraph, gross up income as described in section 78 of
6 the internal revenue code, global intangible low-taxed income as defined in
7 section 951A of the internal revenue code and subpart F income as defined
8 in section 952 of the internal revenue code shall be considered foreign
9 dividends.

10 10. The amount of net operating loss allowed by section 43-1123.

11 11. The amount of any state income tax refunds received that were
12 included as income in computing federal taxable income.

13 12. The amount of expense recapture included in income pursuant to
14 section 617 of the internal revenue code for mine exploration expenses.

15 13. The amount of deferred exploration expenses allowed by section
16 43-1127.

17 14. The amount of exploration expenses related to the exploration of
18 oil, gas or geothermal resources, computed in the same manner and on the
19 same basis as a deduction for mine exploration pursuant to section 617 of
20 the internal revenue code. This computation is subject to the adjustments
21 contained in section 43-1121, paragraph 10 and paragraphs 12 and 13 of this
22 section relating to exploration expenses.

23 15. The amortization of pollution control devices allowed by section
24 43-1129.

25 16. The amount of amortization of the cost of child care facilities
26 pursuant to section 43-1130.

27 17. The amount of income from a domestic international sales
28 corporation required to be included in the income of its shareholders
29 pursuant to section 995 of the internal revenue code.

1 18. The income of an insurance company that is exempt under section
2 43-1201 to the extent that it is included in computing Arizona gross income
3 on a consolidated return pursuant to section 43-947.

4 19. The amount by which a capital loss carryover allowable pursuant
5 to section 43-1130.01, subsection F exceeds the capital loss carryover
6 allowable pursuant to section 1341(b)(5) of the internal revenue code.

7 20. An amount equal to the depreciation allowable pursuant to
8 section 167(a) of the internal revenue code for the taxable year computed
9 as if the election described in section 168(k)(7) of the internal revenue
10 code had been made for each applicable class of property in the year the
11 property was placed in service.

12 21. The amount of eligible access expenditures paid or incurred
13 during the taxable year to comply with the requirements of the Americans
14 with disabilities act of 1990 (P.L. 101-336) or title 41, chapter 9,
15 article 8 as provided by section 43-1124.

16 22. For taxable years beginning from and after December 31, 2017,
17 the amount of any net capital gain included in Arizona gross income for the
18 taxable year that is derived from the exchange of one kind of legal tender
19 for another kind of legal tender. For the purposes of this paragraph:

20 (a) "Legal tender" means a medium of exchange, including specie,
21 that is authorized by the United States Constitution or Congress to pay
22 debts, public charges, taxes and dues.

23 (b) "Specie" means coins having precious metal content.

24 23. WITH RESPECT TO A PUBLIC SERVICE CORPORATION OPERATING A WATER
25 SYSTEM OR SEWAGE DISPOSAL FACILITY, THE AMOUNT OF MONIES OR PROPERTY
26 RECEIVED AS A CONTRIBUTION IN AID OF CONSTRUCTION. FOR THE PURPOSES OF THIS
27 PARAGRAPH:

28 (a) "CONTRIBUTION IN AID OF CONSTRUCTION" MEANS ANY AMOUNT OF MONIES
29 OR OTHER PROPERTY CONTRIBUTED TO A PUBLIC SERVICE CORPORATION THAT PROVIDES
30 WATER OR SEWAGE DISPOSAL SERVICES TO THE EXTENT THAT THE PURPOSE OF THE
31 CONTRIBUTION IS TO PROVIDE FOR EXPANDING, IMPROVING OR REPLACING THE PUBLIC

1 SERVICE CORPORATION'S WATER SYSTEM OR SEWAGE DISPOSAL FACILITIES, INCLUDING
2 ANY AMOUNT OF MONIES OR OTHER PROPERTY CONTRIBUTED TO A PUBLIC SERVICE
3 CORPORATION FOR A WATER SYSTEM OR SEWAGE DISPOSAL FACILITY SUBJECT TO A
4 CONTINGENT OBLIGATION TO REPAY THE AMOUNT, IN WHOLE OR IN PART, TO THE
5 CONTRIBUTOR.

6 (b) "PUBLIC SERVICE CORPORATION" MEANS A PUBLIC SERVICE CORPORATION
7 AS DEFINED IN ARTICLE XV, SECTION 2, CONSTITUTION OF ARIZONA, THAT IS
8 REGULATED BY THE CORPORATION COMMISSION."

9 Renumber to conform

10 Page 101, line 2, strike "sections" insert "section"; strike "and 43-1163"

11 Page 103, strike lines 13 through 44

12 Page 104, strike lines 1 through 7

13 Renumber to conform

14 Page 114, strike lines 10 through 15

15 Renumber to conform

16 Strike lines 40 through 45

17 Page 115, strike lines 1 through 11

18 Renumber to conform

19 Line 16, after "43-1083.02" insert "or 43-1164.03"

20 Between lines 20 and 21, insert:

21 "Sec. 29. Contributions to qualifying foster care charitable
22 organizations; taxable year 2021; definitions; retroactivity;
23 delayed repeal

24 A. Notwithstanding any other law, for the purposes of the tax credit
25 for contributions to qualifying foster care charitable organizations under
26 section 43-1088, subsection B, Arizona Revised Statutes, for taxable year
27 2021, the following definitions apply:

28 1. "Qualifying foster care charitable organization" means a
29 qualifying charitable organization as defined in section 43-1088, Arizona
30 Revised Statutes, that each operating year provides services to at least

1 two hundred qualified individuals in this state and spends at least fifty
2 percent of its budget on services to qualified individuals in this state.

3 2. "Qualified individual" means any of the following:

4 (a) A foster child as defined in section 8-501, Arizona Revised
5 Statutes.

6 (b) A person who is participating in an independent living program
7 as prescribed by section 8-521, Arizona Revised Statutes.

8 (c) A person who is participating in a transitional independent
9 living program as prescribed by section 8-521.01, Arizona Revised Statutes.

10 (d) A person who is participating in an extended foster care program
11 as prescribed by section 8-521.02, Arizona Revised Statutes.

12 (e) A person who is under twenty-seven years of age and whose reason
13 for leaving foster care is any of the following:

14 (i) Reaching eighteen years of age.

15 (ii) Adoption or legal guardianship after reaching sixteen years of
16 age.

17 (iii) Reunification at fourteen years of age or fifteen years of
18 age.

19 B. This section applies retroactively to taxable years from and
20 after December 31, 2020.

21 C. This section is repealed from and after December 31, 2021."

22 Renumber to conform

23 Page 115, line 23, strike "the following:"

24 Line 24, strike "1."

25 Strikes lines 30 through 32

26 Line 40, strike "2017" insert "2020"

27 Page 116, strike lines 3 through 16, insert:

28 "Sec. 32. Effective date

29 Section 23-780, Arizona Revised Statutes, as amended by this act, is
30 effective from and after June 30, 2022."

31 Strike lines 24 through 38

Senate Amendments to S.B. 1828

1 Amend title to conform

KAREN FANN

1828FloorFANN1
06/22/2021
09:19 AM
C: ED