

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 258

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Jim R. Trujillo

AN ACT

RELATING TO TAXATION; PROVIDING A CREDIT TO BE TAKEN AGAINST  
GROSS RECEIPTS TAXES DUE FOR RECEIPTS FROM PROVIDING CHILD  
DAYCARE SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Tax Administration Act is  
enacted to read:

"~~[NEW MATERIAL]~~ DISTRIBUTION ADJUSTMENT--TAX  
ADMINISTRATION SUSPENSE FUND--CREDIT FOR LICENSED CHILD DAYCARE  
PROVIDERS.--Distributions from the tax administration suspense  
fund to the general fund of net receipts attributable to the  
gross receipts tax shall be adjusted for the full cost of  
credits issued pursuant to the Gross Receipts and Compensating  
Tax Act for receipts of child daycare providers licensed by the  
children, youth and families department."

.171234.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1           Section 2. A new section of the Gross Receipts and  
2           Compensating Tax Act is enacted to read:

3           "[NEW MATERIAL] CREDIT--GROSS RECEIPTS TAX--CHILD DAYCARE  
4           SERVICES.--

5           A. A child daycare provider may claim a credit for  
6           each reporting period against the gross receipts tax due for a  
7           reporting period beginning on or after July 1, 2008 as follows:

8                       (1) for a child daycare provider located in a  
9           municipality, the credit claimed may be in an amount equal to  
10          three and seven hundred seventy-five thousandths percent of the  
11          child daycare provider's taxable gross receipts for that  
12          reporting period after all applicable deductions have been  
13          taken; and

14                      (2) for a child daycare provider located in  
15          the unincorporated area of a county, the credit claimed may be  
16          in an amount equal to five percent of the child daycare  
17          provider's taxable gross receipts for that reporting period  
18          after all applicable deductions have been taken.

19           B. As used in this section, "child daycare  
20          provider" means a person that provides child daycare services  
21          and is licensed by the children, youth and families  
22          department."

23          Section 3. APPLICABILITY.--The provisions of this act are  
24          applicable beginning on July 1, 2008 and in subsequent gross  
25          receipts reporting periods.

.171234.1

1           Section 4. EFFECTIVE DATE.--The effective date of the  
2 provisions of this act is July 1, 2008.

3                           - 3 -  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

underscored material = new  
[bracketed material] = delete