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HOUSE BILL 4

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2010

INTRODUCED BY

Edward C. Sandoval

AN ACT

RELATING TO TAXATION; AMENDING A SECTION OF THE INCOME TAX ACT
TO INCREASE THE LOW-INCOME COMPREHENSIVE TAX REBATE.

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

Section 1. Section 7-2-14 NMSA 1978 (being Laws 1972,
Chapter 20, Section 2, as amended) is amended to read:

"7-2-14. LOW-INCOME COMPREHENSIVE TAX REBATE.--

A. Except as otherwise provided in Subsection B of
this section, any resident who files an individual New Mexico
income tax return and who is not a dependent of another
individual may claim a tax rebate for a portion of state and
local taxes to which the resident has been subject during the
taxable year for which the return is filed. The tax rebate may
be claimed even though the resident has no income taxable under
the Income Tax Act. A husband and wife who file separate

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1 returns for a taxable year in which they could have filed a
2 joint return may each claim only one-half of the tax rebate
3 that would have been allowed on a joint return.

4 B. No claim for the tax rebate provided in this
5 section shall be filed by a resident who was an inmate of a
6 public institution for more than six months during the taxable
7 year for which the tax rebate could be claimed or who was not
8 physically present in New Mexico for at least six months during
9 the taxable year for which the tax rebate could be claimed.

10 C. For the purposes of this section, the total
11 number of exemptions for which a tax rebate may be claimed or
12 allowed is determined by adding the number of federal
13 exemptions allowable for federal income tax purposes for each
14 individual included in the return who is domiciled in New
15 Mexico plus two additional exemptions for each individual
16 domiciled in New Mexico included in the return who is sixty-
17 five years of age or older plus one additional exemption for
18 each individual domiciled in New Mexico included in the return
19 who, for federal income tax purposes, is blind plus one
20 exemption for each minor child or stepchild of the resident who
21 would be a dependent for federal income tax purposes if the
22 public assistance contributing to the support of the child or
23 stepchild was considered to have been contributed by the
24 resident.

25 D. The tax rebate provided for in this section may

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1 be claimed in the amount shown in the following table:

2 Modified gross And the total number

3 income is: of exemptions is:

4 But Not 6 or

5 Over Over 1 2 3 4 5 More

6 [~~\$ 0 \$ 500 \$ 120 \$ 160 \$ 200 \$ 240 \$ 280 \$ 320~~

7 ~~500 1,000 135 195 250 310 350 415~~

8 ~~1,000 1,500 135 195 250 310 350 435~~

9 ~~1,500 2,000 135 195 250 310 350 450~~

10 ~~2,000 2,500 135 195 250 310 350 450~~

11 ~~2,500 3,000 135 195 250 310 350 450~~

12 ~~3,000 3,500 135 195 250 310 350 450~~

13 ~~3,500 4,000 135 195 250 310 355 450~~

14 ~~4,000 4,500 135 195 250 310 355 450~~

15 ~~4,500 5,000 125 190 240 305 355 450~~

16 ~~5,000 5,500 115 175 230 295 355 430~~

17 ~~5,500 6,000 105 155 210 260 315 410~~

18 ~~6,000 7,000 90 130 170 220 275 370~~

19 ~~7,000 8,000 80 115 145 180 225 295~~

20 ~~8,000 9,000 70 105 135 170 195 240~~

21 ~~9,000 10,000 65 95 115 145 175 205~~

22 ~~10,000 11,000 60 80 100 130 155 185~~

23 ~~11,000 12,000 55 70 90 110 135 160~~

24 ~~12,000 13,000 50 65 85 100 115 140~~

25 ~~13,000 14,000 50 65 85 100 115 140~~

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1	14,000	15,000	45	60	75	90	105	120
2	15,000	16,000	40	55	70	85	95	110
3	16,000	17,000	35	50	65	80	85	105
4	17,000	18,000	30	45	60	70	80	95
5	18,000	19,000	25	35	50	60	70	80
6	19,000	20,000	20	30	40	50	60	65
7	20,000	21,000	15	25	30	40	50	55
8	21,000	22,000	10	20	25	35	40	45.]
9	<u>\$ 0</u>	<u>\$ 1,000</u>	<u>\$ 145</u>	<u>\$ 210</u>	<u>\$ 270</u>	<u>\$ 335</u>	<u>\$ 380</u>	<u>\$ 455</u>
10	<u>1,001</u>	<u>2,000</u>	<u>145</u>	<u>210</u>	<u>270</u>	<u>335</u>	<u>380</u>	<u>490</u>
11	<u>2,001</u>	<u>3,000</u>	<u>145</u>	<u>210</u>	<u>270</u>	<u>335</u>	<u>385</u>	<u>490</u>
12	<u>3,001</u>	<u>4,000</u>	<u>145</u>	<u>210</u>	<u>270</u>	<u>335</u>	<u>385</u>	<u>490</u>
13	<u>4,001</u>	<u>5,000</u>	<u>145</u>	<u>210</u>	<u>270</u>	<u>335</u>	<u>385</u>	<u>490</u>
14	<u>5,001</u>	<u>6,000</u>	<u>125</u>	<u>190</u>	<u>250</u>	<u>320</u>	<u>385</u>	<u>490</u>
15	<u>6,001</u>	<u>7,000</u>	<u>100</u>	<u>145</u>	<u>190</u>	<u>245</u>	<u>305</u>	<u>410</u>
16	<u>7,001</u>	<u>8,000</u>	<u>90</u>	<u>130</u>	<u>165</u>	<u>205</u>	<u>255</u>	<u>335</u>
17	<u>8,001</u>	<u>9,000</u>	<u>80</u>	<u>120</u>	<u>155</u>	<u>195</u>	<u>225</u>	<u>280</u>
18	<u>9,001</u>	<u>10,000</u>	<u>75</u>	<u>110</u>	<u>135</u>	<u>170</u>	<u>205</u>	<u>245</u>
19	<u>10,001</u>	<u>11,000</u>	<u>70</u>	<u>95</u>	<u>120</u>	<u>155</u>	<u>185</u>	<u>225</u>
20	<u>11,001</u>	<u>12,000</u>	<u>65</u>	<u>85</u>	<u>110</u>	<u>135</u>	<u>165</u>	<u>200</u>
21	<u>12,001</u>	<u>13,000</u>	<u>60</u>	<u>80</u>	<u>105</u>	<u>125</u>	<u>145</u>	<u>180</u>
22	<u>13,001</u>	<u>14,000</u>	<u>60</u>	<u>80</u>	<u>105</u>	<u>125</u>	<u>145</u>	<u>180</u>
23	<u>14,001</u>	<u>15,000</u>	<u>55</u>	<u>75</u>	<u>95</u>	<u>115</u>	<u>135</u>	<u>160</u>
24	<u>15,001</u>	<u>16,000</u>	<u>50</u>	<u>75</u>	<u>90</u>	<u>110</u>	<u>125</u>	<u>150</u>
25	<u>16,001</u>	<u>17,000</u>	<u>45</u>	<u>70</u>	<u>85</u>	<u>105</u>	<u>115</u>	<u>145</u>

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1	<u>17,001</u>	<u>18,000</u>	<u>40</u>	<u>60</u>	<u>80</u>	<u>95</u>	<u>110</u>	<u>135</u>
2	<u>18,001</u>	<u>19,000</u>	<u>35</u>	<u>50</u>	<u>70</u>	<u>85</u>	<u>100</u>	<u>120</u>
3	<u>19,001</u>	<u>20,000</u>	<u>30</u>	<u>45</u>	<u>60</u>	<u>75</u>	<u>90</u>	<u>105</u>
4	<u>20,001</u>	<u>21,000</u>	<u>25</u>	<u>40</u>	<u>50</u>	<u>65</u>	<u>80</u>	<u>95</u>
5	<u>21,001</u>	<u>22,000</u>	<u>20</u>	<u>35</u>	<u>45</u>	<u>60</u>	<u>70</u>	<u>85</u>
6	<u>22,001</u>	<u>23,000</u>	<u>10</u>	<u>30</u>	<u>40</u>	<u>50</u>	<u>60</u>	<u>70</u>
7	<u>23,001</u>	<u>24,000</u>	<u>10</u>	<u>20</u>	<u>30</u>	<u>40</u>	<u>50</u>	<u>60.</u>

8 E. If a taxpayer's modified gross income is zero,
9 the taxpayer may claim a credit in the amount shown in the
10 first row of the table appropriate for the taxpayer's number of
11 exemptions.

12 F. The tax rebates provided for in this section
13 may be deducted from the taxpayer's New Mexico income tax
14 liability for the taxable year. If the tax rebates exceed the
15 taxpayer's income tax liability, the excess shall be refunded
16 to the taxpayer.

17 G. For purposes of this section, "dependent"
18 means "dependent" as defined by Section 152 of the Internal
19 Revenue Code of 1986, as that section may be amended or
20 renumbered, but also includes any minor child or stepchild of
21 the resident who would be a dependent for federal income tax
22 purposes if the public assistance contributing to the support
23 of the child or stepchild was considered to have been
24 contributed by the resident."

25 Section 2. APPLICABILITY.--The provisions of this act

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apply to taxable years beginning on or after January 1, 2010.