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HOUSE BILL 477

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Gail Armstrong and Daymon Ely

AN ACT

RELATING TO TAXATION; EXEMPTING A CERTAIN AMOUNT OF SOCIAL SECURITY INCOME FROM INCOME TAX.

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

SECTION 1. Section 7-2-5.2 NMSA 1978 (being Laws 1985, Chapter 114, Section 1, as amended) is amended to read:

"7-2-5.2. EXEMPTION--SOCIAL SECURITY INCOME--INCOME OF PERSONS SIXTY-FIVE AND OLDER OR BLIND.--[Any] Pursuant to this section:

A. an individual may claim an exemption in an amount equal to twenty-four thousand dollars (\$24,000) of the individual's net income from the supplemental security income program under Title 16 of the federal Social Security Act; or

B. if an individual does not receive such income but is sixty-five years of age or older or who, for federal

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1 income tax purposes, is blind, the individual may claim an  
2 exemption in an amount specified in [~~Subsections A through C~~]  
3 Paragraphs (1) through (3) of this [~~section~~] subsection not to  
4 exceed eight thousand dollars (\$8,000) of income includable  
5 except for this exemption in net income: [~~Individuals having~~  
6 ~~income both within and without this state shall apportion this~~  
7 ~~exemption in accordance with regulations of the secretary.~~

8           A.] (1) For married individuals filing  
9 separate returns, for any taxable year beginning on or after  
10 January 1, 1987:

11		The maximum amount of
12	If adjusted	exemption allowable under
13	gross income is:	this section shall be:
14	Not over \$15,000	\$8,000
15	Over \$15,000 but not over \$16,500	\$7,000
16	Over \$16,500 but not over \$18,000	\$6,000
17	Over \$18,000 but not over \$19,500	\$5,000
18	Over \$19,500 but not over \$21,000	\$4,000
19	Over \$21,000 but not over \$22,500	\$3,000
20	Over \$22,500 but not over \$24,000	\$2,000
21	Over \$24,000 but not over \$25,500	\$1,000
22	Over \$25,500	0.

23           [B.] (2) For heads of household, surviving  
24 spouses and married individuals filing joint returns, for any  
25 taxable year beginning on or after January 1, 1987:

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1		The maximum amount of
2	If adjusted	exemption allowable under
3	gross income is:	this section shall be:
4	Not over \$30,000	\$8,000
5	Over \$30,000 but not over \$33,000	\$7,000
6	Over \$33,000 but not over \$36,000	\$6,000
7	Over \$36,000 but not over \$39,000	\$5,000
8	Over \$39,000 but not over \$42,000	\$4,000
9	Over \$42,000 but not over \$45,000	\$3,000
10	Over \$45,000 but not over \$48,000	\$2,000
11	Over \$48,000 but not over \$51,000	\$1,000
12	Over \$51,000	0.

13                   [~~G-~~] (3) For single individuals, for any taxable  
14 year beginning on or after January 1, 1987:

15		The maximum amount of
16	If adjusted	exemption allowable under
17	gross income is:	this section shall be:
18	Not over \$18,000	\$8,000
19	Over \$18,000 but not over \$19,500	\$7,000
20	Over \$19,500 but not over \$21,000	\$6,000
21	Over \$21,000 but not over \$22,500	\$5,000
22	Over \$22,500 but not over \$24,000	\$4,000
23	Over \$24,000 but not over \$25,500	\$3,000
24	Over \$25,500 but not over \$27,000	\$2,000
25	Over \$27,000 but not over \$28,500	\$1,000

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Over \$28,500 0.  
C. Individuals having income both within and without  
this state shall apportion the exemptions provided in this  
section in accordance with rules of the secretary."

SECTION 2. APPLICABILITY.--The provisions of this act  
apply to taxable years beginning on or after January 1, 2019.