

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 1220

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY
GEORGE D. BUFFETT

AN ACT

RELATING TO TAXATION; AUTHORIZING AN EMPLOYER TAX CREDIT FOR THE
EMPLOYMENT OF PERSONS WITH DEVELOPMENTAL DISABILITIES.

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

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

" NEW MATERIAL EMPLOYER CREDIT--EMPLOYEES WITH
DEVELOPMENTAL DISABILITIES. --

A. Any taxpayer who files an individual New Mexico
income tax return who is not a dependent of another individual
may claim a credit for the taxpayer's employees who are persons
with developmental disabilities. The credit may be claimed in
an amount equal to the sum of the amount determined for each
employee who is a person with a developmental disability, which
amount for each employee is equal to the product of one dollar

Underscored material = new
[bracketed material] = delete

Underscored material = new
[bracketed material] = delete

1 (\$1.00) multiplied by the number of hours of the taxpayer's
2 taxable year that the employee was employed by the taxpayer.

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

7 C. A taxpayer who otherwise qualifies and claims a
8 credit pursuant to Subsection A of this section and who is a
9 member of a partnership or business association that is the
10 employer may claim a credit only in proportion to his interest
11 in the partnership or association. The total credit claimed by
12 all members of the partnership or association shall not exceed
13 an amount equal to the credit that would otherwise be available
14 to a single taxpayer.

15 D. The credit provided in this section may only be
16 deducted from the taxpayer's income tax liability for the
17 taxable year for which the credit is claimed.

18 E. As used in this section, "developmental
19 disability" has the same meaning as in the Developmental
20 Disabilities Act. "

21 Section 2. A new section of the Corporate Income and
22 Franchise Tax Act is enacted to read:

23 "[NEW MATERIAL] EMPLOYER CREDIT--EMPLOYEES WITH
24 DEVELOPMENTAL DISABILITIES. --

25 A. Any taxpayer who files a corporate income tax

Underscored material = new
[bracketed material] = delete

1 return may claim a credit for the taxpayer's employees who are
2 persons with developmental disabilities. The credit may be
3 claimed in an amount equal to the sum of the amounts for each
4 employee who is a person with a developmental disability, which
5 amount for each employee is equal to the product of one dollar
6 (\$1.00) multiplied by the number of hours of the taxpayer's
7 taxable year that the employee was employed by the taxpayer.

8 B. A taxpayer who otherwise qualifies and claims a
9 credit pursuant to Subsection A of this section and who is a
10 member of a partnership or business association that is the
11 employer may claim a credit only in proportion to his interest
12 in the partnership or association. The total credit claimed by
13 all members of the partnership or association shall not exceed
14 the credit that would otherwise be available to a single
15 taxpayer.

16 C. The credit provided in this section may only be
17 deducted from the taxpayer's corporate income tax liability for
18 the taxable year for which the credit is claimed.

19 D. As used in this section, "developmental
20 disability" has the same meaning as when used in the
21 Developmental Disabilities Act."

22 Section 3. APPLICABILITY. --The provisions of this act
23 apply to taxable years beginning on or after January 1, 1997.