

PROPOSED AMENDMENT

HB 1328 # 22

DIGEST

Dependent care property tax deduction. Provides a dependent care property tax deduction in the amount of \$5,000 to individuals who incurred certain employment related expenses related to care of a dependent.

- 1 Page 3, between lines 9 and 10, begin a new paragraph and insert:
2 "SECTION 4. IC 6-1.1-12-49 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JANUARY 1, 2025]: Sec. 49. (a) As used in this
5 section, "employment related expenses" means amounts that are:
6 (1) paid for the care of a qualifying individual; and
7 (2) incurred to enable an individual, including an individual's
8 spouse in the case of a joint return, to be gainfully employed.
9 The term does not include an amount paid for services outside the
10 individual's household at a camp where a qualifying individual
11 stays overnight. The term does not include amounts paid for
12 services outside the individual's household that are not provided in
13 conformity with applicable state and local laws.
14 (b) As used in this section, "qualifying individual" has the
15 meaning set forth in Section 21(b)(1) of the Internal Revenue Code.
16 (c) An individual may obtain a deduction from the assessed
17 value of the individual's real property, or mobile home or
18 manufactured home which is not assessed as real property, if:
19 (1) the individual had:
20 (A) in the case of an individual who filed a single return,
21 adjusted gross income (as defined in Section 62 of the
22 Internal Revenue Code) not exceeding one hundred
23 thousand dollars (\$100,000); or
24 (B) in the case of an individual who filed a joint income tax
25 return with the individual's spouse, combined adjusted
26 gross income (as defined in Section 62 of the Internal
27 Revenue Code) not exceeding one hundred fifty thousand

- 1 **dollars (\$150,000);**
- 2 **(2) the assessed value of the real property, mobile home, or**
- 3 **manufactured home does not exceed four hundred**
- 4 **seventy-five thousand dollars (\$475,000); and**
- 5 **(3) the individual incurred employment related expenses**
- 6 **during the calendar year.**

7 **(d) In the case of real property, a mobile home that is not**
 8 **assessed as real property, or a manufactured home which is not**
 9 **assessed as real property, an individual's deduction under this**
 10 **section equals five thousand dollars (\$5,000).**

11 **(e) For purposes of this section, if real property, a mobile home,**
 12 **or a manufactured home is owned by:**

- 13 **(1) tenants by the entirety;**
- 14 **(2) joint tenants; or**
- 15 **(3) tenants in common;**
- 16 **only one (1) deduction may be allowed.**

17 **(f) The department shall develop an application form with an**
 18 **attestation clause for purposes of an individual's claiming the**
 19 **deduction under this section."**

20 Page 35, after line 25, begin a new paragraph and insert:

21 **"SECTION 19. [EFFECTIVE JULY 1, 2024] (a) IC 6-1.1-12-49, as**
 22 **added by this act, applies to assessment dates after December 31,**
 23 **2024.**

24 **(b) This SECTION expires July 1, 2027."**

25 Renumber all SECTIONS consecutively.

(Reference is to HB 1328 as introduced.)