



Bethany Boyd

Bill Analysis
Legislative Service Commission

Am. S.B. 4
123rd General Assembly
(As Reported by S. Ways & Means)

Sens. Mumper, Blessing, Johnson, Drake

BILL SUMMARY

- Authorizes a \$500 nonrefundable credit against the personal income tax for adoption of a minor child.

CONTENT AND OPERATION

Income tax credit for adoption

(secs. 5747.34 and 5747.98)

The bill permits a taxpayer who adopts a minor child to claim a nonrefundable credit against the state personal income tax. The amount of the credit equals \$500 for each minor child legally adopted during the taxable year. To qualify for the credit, the child adopted must be under age 18, and the adoption occurred under Ohio's adoption laws (R.C. Chapter 3107.), or the laws of another state or nation if the adoption is recognized under the Ohio adoption law. For the purpose of claiming the tax credit, the adoption is considered to have occurred when the final decree or order of adoption is issued by the proper court under the laws of the state or nation under which the child is adopted, or, in the case of an interlocutory order of adoption, when the order becomes final under the laws of the state or nation. (Under Ohio law, an interlocutory order of adoption becomes a final order between six and twelve months after it is issued by the court, pending further observation and investigation of the adoptive home by the court.)

The tax credit does not apply to the adoption of a minor child by a stepparent.

Any taxpayer claiming other income tax credits must claim the adoption tax credit in the same general order specified by existing law, which requires nonrefundable credits to be claimed before refundable ones.

The tax credit may be claimed for adoptions under final decrees or orders of adoption duly issued, or interlocutory orders of adoption that become final, during taxable years beginning on or after January 1, 1999.

HISTORY

| ACTION | DATE | JOURNAL ENTRY |
|---------------------------|----------|---------------|
| Introduced | 01-20-99 | p. 26 |
| Reported, S. Ways & Means | 03-04-99 | pp. 159-160 |

S0004-RS.123/rss

