

**261—47.3(81GA, HF868) Allocation of funds.** The department shall authorize tax credits to qualified individuals who provide an endowment gift to an endow Iowa qualified community foundation or a community affiliate organization affiliated with an endow Iowa qualified community foundation for a permanent endowment fund within the state of Iowa in accordance with the following provisions:

**47.3(1)** Approved tax credits shall be allowed against taxes imposed in Iowa Code chapter 422, divisions II, III, and V, and in Iowa Code chapter 432, and against the moneys and credits tax imposed in Iowa Code section 533.24.

**47.3(2)** Approved tax credits will be equal to 20 percent of a taxpayer's gift to a permanent endowment held in an endow Iowa qualified community foundation.

**47.3(3)** The amount of tax credits authorized pursuant to this rule shall not exceed a total of \$2 million annually. The maximum amount of tax credits granted to a single taxpayer shall not exceed 5 percent of the annual amount of tax credits authorized. If the department receives applications for tax credits in excess of the amount available, the applications shall be prioritized by the date the department received the applications. If the number of applications exceeds the amount of annual tax credits available, the department shall establish a wait list for the next year's allocation of tax credits and applications shall first be funded in the order listed on the wait list.

**47.3(4)** Any tax credit in excess of the taxpayer's tax liability for the tax year may be credited to the tax liability for the following five years or until depleted, whichever occurs first.

**47.3(5)** A tax credit shall not be carried back to a tax year prior to the tax year in which the taxpayer claims the tax credit.

**47.3(6)** A tax credit shall not be transferable to any other taxpayer.

**47.3(7)** Tax credits shall be authorized pursuant to this rule for gifts made to a permanent endowment held in an endow Iowa qualified community foundation after January 1, 2005, and before December 31, 2008.