

# Senate Study Bill 190

## Bill Text

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1 1 Section 1. Section [422.12](#), subsection 2, unnumbered  
1 2 paragraph 1, Code 1997, is amended to read as follows:  
1 3 A tuition credit equal to

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- twenty percent of the first

1 4 one thousand dollars which the taxpayer has paid to others for  
1 5 each dependent in grades kindergarten through twelve, for  
1 6 tuition and textbooks of each dependent in attending an  
1 7 elementary or secondary school situated in Iowa, which school  
1 8 is accredited or approved under section 256.11, which is not  
1 9 operated for profit, and which adheres to the provisions of  
1 10 the federal Civil Rights Act of 1964 and chapter 216. As used  
1 11 in this subsection, "textbooks" means books and other  
1 12 instructional materials and equipment used in elementary and  
1 13 secondary schools in teaching only those subjects legally and  
1 14 commonly taught in public elementary and secondary schools in  
1 15 this state and does not include instructional books and  
1 16 materials used in the teaching of religious tenets, doctrines,  
1 17 or worship, the purpose of which is to inculcate those tenets,  
1 18 doctrines, or worship, and does not include books or materials  
1 19 for extracurricular activities including sporting events,  
1 20 musical or dramatic events, speech activities, driver's  
1 21 education, or programs of a similar nature. Notwithstanding  
1 22 any other provision, all other credits allowed under this  
1 23 section and section 422.12B shall be deducted before the  
1 24 tuition credit under this subsection. The department, when  
1 25 conducting an audit of a taxpayer's return, shall also audit  
1 26 the tuition tax credit portion of the tax return.

1 27 Sec. 2. This Act applies retroactively to January 1, 1997,  
1 28 for tax years beginning on or after that date.

1 29 EXPLANATION

1 30 The bill increases the tuition and textbook tax credit from  
1 31 10 percent to 20 percent of the first \$1,000 paid by the  
1 32 taxpayer for each dependent for tuition and textbooks to  
1 33 attend a nonpublic accredited elementary or secondary school.  
1 34 The credit is a nonrefundable credit that is applied against  
1 35 the taxpayer's state individual income tax.

2 1 The bill applies retroactively to January 1, 1997, for tax  
2 2 years beginning on or after that date.

2 3 LSB 1374XL 77

2 4 mg/sc/14