

JAN 25 2006
EDUCATION

HOUSE FILE 2121
BY BOAL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to a home schooling tax credit under the
2 individual income tax for expenses related to competent
3 private instruction for children in grades kindergarten
4 through twelve and including effective and retroactive
5 applicability date provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

HF 2121

1 Section 1. Section 422.12, Code 2005, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2A. a. A home schooling tax credit equal
4 to twenty-five percent of the first one thousand dollars which
5 the taxpayer has spent or paid to others for each dependent in
6 grades kindergarten through twelve for the costs of tuition
7 and textbooks for competent private instruction provided in a
8 setting other than a public or an accredited nonpublic school
9 in this state. A taxpayer claiming a credit under subsection
10 2 shall not receive a credit under this subsection for the
11 same dependent for the same school year.

12 b. For purposes of this subsection, unless the context
13 otherwise requires:

14 (1) "Competent private instruction" means competent
15 private instruction as defined in section 299A.1 which meets
16 the requirements and procedures specified in chapter 299A.

17 (2) "School year" means the twelve-month period beginning
18 July 1.

19 (3) "Textbooks" means books and other instructional
20 materials and equipment used in teaching only those subjects
21 legally and commonly taught in public elementary and secondary
22 schools in this state and does not include instructional books
23 and materials used in the teaching of religious tenets,
24 doctrines, or worship, the purpose of which is to inculcate
25 those tenets, doctrines, or worship. "Textbooks" includes
26 books or materials used for extracurricular activities,
27 including sporting events, musical or dramatic events, speech
28 activities, driver's education, or programs of a similar
29 nature.

30 (4) "Tuition" means any charges for the expenses of
31 personnel, buildings, equipment, and materials other than
32 textbooks, and other expenses which relate to the teaching
33 only of those subjects legally and commonly taught in public
34 elementary and secondary schools in this state and which do
35 not relate to the teaching of religious tenets, doctrines, or

1 worship, the purpose of which is to inculcate those tenets,
2 doctrines, or worship. "Tuition" includes those expenses
3 which relate to extracurricular activities, including sporting
4 events, musical or dramatic events, speech activities,
5 driver's education, or programs of a similar nature.

6 Sec. 2. EFFECTIVE AND APPLICABILITY DATE. This Act, being
7 deemed of immediate importance, takes effect upon enactment
8 and applies retroactively to January 1, 2006, for tax years
9 beginning on or after that date for tuition and textbook
10 expenditures made on or after January 1, 2006, for school
11 years ending on or after that date.

12 EXPLANATION

13 This bill provides a home schooling tax credit equal to 25
14 percent of the first \$1,000 spent by a taxpayer on tuition and
15 textbooks for each dependent to receive competent private
16 instruction in kindergarten through grade 12. The credit is
17 in lieu of the present tuition tax credit. Competent private
18 instruction is instruction that uses a plan and a course of
19 study in a setting other than a public or accredited private
20 school. This tax credit takes effect upon enactment and
21 applies retroactively beginning with the 2006 tax year to
22 expenditures made on or after January 1, 2006, for school
23 years ending on or after that date.

24 The bill takes effect upon enactment.

25
26
27
28
29
30
31
32
33
34
35