SENATE BILL NO. 120

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE EDUCATION COMMITTEE

Introduced: 3/31/23

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

"An Act extending the education tax credits; providing for an effective date by

2	amending the effective date of secs. 1, 2, and 21, ch. 61, SLA 2014; and providing for an
3	effective date."
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
5	* Section 1. AS 21.96.070(b) is amended to read:
6	(b) The amount of the credit is
7	(1) 50 percent of contributions of not more than \$100,000;
8	(2) 100 percent of the next \$200,000 of contributions; and
9	(3) 50 percent of the amount of contributions that exceed \$300,000.
10	* Sec. 2. AS 21.96.070(d) is amended to read:
11	(d) A contribution claimed as a credit under this section may not
12	(1) be the basis for a credit claimed under another provision of this
13	title; and
14	(2) when combined with contributions that are the basis for credits

I	taken during the taxpayer's tax year under AS 43.20.014, AS 43.55.019,
2	AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, result in the total
3	amount of credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member of
4	an affiliated group, then the total amount of credits may not exceed \$5,000,000
5	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
6	meaning given in AS 43.20.145.
7	* Sec. 3. AS 43.20.014(b) is amended to read:
8	(b) The amount of the credit is
9	(1) 50 percent of contributions of not more than \$100,000;
10	(2) 100 percent of the next \$200,000 of contributions; and
11	(3) 50 percent of the amount of contributions that exceed \$300,000.
12	* Sec. 4. AS 43.20.014(d) is amended to read:
13	(d) A contribution claimed as a credit under this section may not
14	(1) be the basis for a credit claimed under another provision of this
15	title;
16	(2) also be allowed as a deduction under 26 U.S.C. 170 against the tax
17	imposed by this chapter; and
18	(3) when combined with contributions that are the basis for credits
19	taken during the taxpayer's tax year under AS 21.96.070, AS 43.55.019,
20	AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, result in the total
21	amount of credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member of
22	an affiliated group, then the total amount of credits may not exceed §5,000,000
23	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
24	meaning given in AS 43.20.145.
25	* Sec. 5. AS 43.55.019(b) is amended to read:
26	(b) The amount of the credit is
27	(1) 50 percent of contributions of not more than \$100,000;
28	(2) 100 percent of the next \$200,000 of contributions; and
29	(3) 50 percent of the amount of contributions that exceed \$300,000.
30	* Sec. 6. AS 43.55.019(d) is amended to read:
31	(d) A contribution claimed as a credit under this section may not

1	(1) be the basis for a credit claimed under another provision of this
2	title; and
3	(2) when combined with contributions that are the basis for credits
4	taken during the taxpayer's tax year under AS 21.96.070, AS 43.20.014,
5	AS 43.56.018, AS 43.65.018, AS 43.75.018, or AS 43.77.045, result in the total
6	amount of credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member of
7	an affiliated group, then the total amount of credits may not exceed \$5,000,000
8	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
9	meaning given in AS 43.20.145.
10	* Sec. 7. AS 43.56.018(b) is amended to read:
11	(b) The amount of the credit is
12	(1) 50 percent of contributions of not more than \$100,000;
13	(2) 100 percent of the next \$200,000 of contributions; and
14	(3) 50 percent of the amount of contributions that exceed \$300,000.
15	* Sec. 8. AS 43.56.018(d) is amended to read:
16	(d) A contribution claimed as a credit under this section may not
17	(1) be the basis for a credit claimed under another provision of this
18	title; and
19	(2) when combined with contributions that are the basis for credits
20	taken during the taxpayer's tax year under AS 21.96.070, AS 43.20.014,
21	AS 43.55.019, AS 43.65.018, AS 43.75.018, or AS 43.77.045, result in the total
22	amount of credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member of
23	an affiliated group, then the total amount of credits may not exceed \$5,000,000
24	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
25	meaning given in AS 43.20.145.
26	* Sec. 9. AS 43.65.018(b) is amended to read:
27	(b) The amount of the credit is
28	(1) 50 percent of contributions of not more than \$100,000;
29	(2) 100 percent of the next \$200,000 of contributions; and
30	(3) 50 percent of the amount of contributions that exceed \$300,000.
31	* Sec. 10. AS 43.75.018(d) is amended to read:

l	(d) A contribution claimed as a credit under this section may not
2	(1) be the basis for a credit claimed under another provision of this
3	title; and
4	(2) when combined with contributions that are the basis for credits
5	taken during the taxpayer's tax year under AS 21.96.070, AS 43.20.014,
6	AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.77.045, result in the total
7	amount of the credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member
8	of an affiliated group, then the total amount of credits may not exceed \$5,000,000
9	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
10	meaning given in AS 43.20.145.
11	* Sec. 11. AS 43.75.018(b) is amended to read:
12	(b) The amount of the credit is
13	(1) 50 percent of contributions of not more than \$100,000;
14	(2) 100 percent of the next \$200,000 of contributions; and
15	(3) 50 percent of the amount of contributions that exceed \$300,000.
16	* Sec. 12. AS 43.75.018(d) is amended to read:
17	(d) A contribution claimed as a credit under this section may not
18	(1) be the basis for a credit claimed under another provision of this
19	title; and
20	(2) when combined with contributions that are the basis for credits
21	taken during the taxpayer's tax year under AS 21.96.070, AS 43.20.014,
22	AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.77.045, result in the total
23	amount of the credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member
24	of an affiliated group, then the total amount of credits may not exceed \$5,000,000
25	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
26	meaning given in AS 43.20.145.
27	* Sec. 13. AS 43.77.045(b) is amended to read:
28	(b) The amount of the credit is
29	(1) 50 percent of contributions of not more than \$100,000;
30	(2) 100 percent of the next \$200,000 of contributions; and
31	(3) 50 percent of the amount of contributions that exceed \$300,000

1	* Sec. 14. AS 43.77.045(d) is amended to read:
2	(d) A contribution claimed as a credit under this section may not
3	(1) be the basis for a credit claimed under another provision of this
4	title; and
5	(2) when combined with contributions that are the basis for credits
6	taken during the taxpayer's tax year under AS 21.96.070, AS 43.20.014,
7	AS 43.55.019, AS 43.56.018, AS 43.65.018, or AS 43.75.018, result in the total
8	amount of the credits exceeding \$5,000,000 [\$1,000,000]; if the taxpayer is a member
9	of an affiliated group, then the total amount of credits may not exceed \$5,000,000
10	[\$1,000,000] for the affiliated group; in this paragraph, "affiliated group" has the
11	meaning given in AS 43.20.145.
12	* Sec. 15. Section 37, ch. 61, SLA 2014, as amended by sec. 40, ch. 101, SLA 2018, is
13	amended to read:
14	Sec. 37. Sections 1, 2, and 21, ch. 61, SLA 2014 [OF THIS ACT] take effect
15	January 1, 2031 [2025].
16	* Sec. 16. This Act takes effect January 1, 2024.