

Amendments to Senate Bill No. 282  
1st Reading Copy

Requested by Senator Bruce Tutvedt

For the Senate Taxation Committee

Prepared by Jaret Coles  
March 18, 2013 (4:33pm)

1. Page 3, line 3.

**Strike:** "(iii) tribal source income;"

2. Page 14, line 4 through line 7.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) In applying the rates in effect under subsections (1) and (2), Montana taxable income is divided into two increments, with the first increment equal to Montana taxable income less net capital gain income and the second increment equal to net capital gain income. Montana taxable income other than net capital gain income is taxed at the 4% rate up to the limit of the 4% rate bracket determined under subsection (1) and at the 6% rate to the extent that the first increment of income exceeds the 4% rate bracket. Net capital gain income is taxed at the 4% rate, less the rate reduction in subsection (2), to the extent that the second increment of income is within the 4% rate bracket and is to be taxed at the 6% rate, less the rate reduction in subsection (2), to the extent that the second increment of income exceeds the 4% rate bracket."

3. Page 14, line 8.

**Following:** "(4)"

**Insert:** "(a)"

4. Page 14, line 9.

**Following:** "nearest"

**Insert:** ": (i)"

**Following:** "\$100"

**Insert:** "for the joint bracket under subsection (1)(a);

(ii) \$25 for the head of household bracket under subsection (1)(b); and

(iii) \$50 for the separate return brackets under subsections (1)(c) and (1)(d)"

5. Page 14, line 10.

**Following:** line 9

**Insert:** "(b)"

6. Page 14, line 16.

**Strike:** "federal taxable"

**Insert:** "total"

7. Page 14, line 17.

**Following:** "~~from all sources~~"

**Insert:** "from all sources"

8. Page 15, line 14.

**Following:** "nonresident"

**Insert:** "for any part of the tax year"

9. Page 22, line 14.

**Following:** "(1)"

**Insert:** "(a)"

10. Page 22, line 24.

**Following:** line 23

**Insert:** "(b) A taxpayer that is not required to file a federal income tax return shall file a Montana return if the taxpayer has Montana taxable income after taking into consideration the additions and subtractions to federal taxable income in [section 1]."

- END -

Explanation - This amendment does not repeal provisions of 15-31-907 and 15-31-908 that are necessary to restore the movie and television credits.

Used if amendment SB028202.ajc and SB28205.AJC pass.