

HOUSE BILL NO. 755
INTRODUCED BY D. WANZENRIED

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A CREDIT FOR TUITION INCREASES IMPOSED BY THE MONTANA UNIVERSITY SYSTEM AGAINST INDIVIDUAL INCOME TAXES; PROVIDING THAT THE CREDIT IS REFUNDABLE IF THE AMOUNT OF THE CREDIT EXCEEDS THE TAXPAYER'S INCOME TAX LIABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Credit for Montana university system tuition increases.** (1) There is allowed as a credit against the tax imposed by 15-30-103 the amount that the taxpayer has paid in tuition to attend, or for a dependent to attend, a unit of the Montana university system that exceeds the amount of tuition charged by that unit for the same number of academic credits in the fall term of 2002.

(2) In cooperation with the board of regents, the department shall prepare a listing to be made available with income tax forms and instructions that shows the amount of tuition increase per academic credit for each unit of the Montana university system that is allowable as a tax credit under this section.

(3) The credit allowed by this section may be refunded if the taxpayer has a tax liability less than the amount of the credit.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 4. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 2002.

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