

## HOUSE BILL No. 2851

By Committee on Federal and State Affairs

2-7

---

9 AN ACT concerning income taxation; relating to credits; education  
10 expenses.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) For all taxable years commencing after December 31,  
14 2005, there shall be allowed as a credit against the tax liability of a resident  
15 individual imposed under the Kansas income tax act an amount equal to  
16 25% of the amount of the credit against such taxpayer's federal income  
17 tax liability pursuant to section 25A of the federal internal revenue code  
18 for the taxable year in which such credit was claimed against the taxpayer's  
19 federal income tax liability, if the qualified tuition and related expenses  
20 were paid to an educational institution located in the state of Kansas.  
21 Except as otherwise provided, as used in this section, terms and phrases  
22 shall have the meanings ascribed thereto by the provisions of section 25A  
23 of the federal internal revenue code.

24 (b) The credit allowed by subsection (a) shall not exceed the amount  
25 of the tax imposed by K.S.A. 79-32,110, and amendments thereto, re-  
26 duced by the sum of any other credits allowable pursuant to law. If the  
27 amount of such tax credit exceeds the taxpayer's income tax liability for  
28 such taxable year, the amount thereof which exceeds such tax liability may  
29 be carried over for deduction from the taxpayer's income tax liability in  
30 the next succeeding taxable year or years until the total amount of the tax  
31 credits has been deducted from tax liability.

32 Sec. 2. This act shall take effect and be in force from and after its  
33 publication in the statute book.