

CHAPTER 247
SB 270-FN - FINAL VERSION

6Jun2019... 2280h

2019 SESSION

19-0475
10/04

SENATE BILL ***270-FN***

AN ACT establishing a tax credit against the business profits tax for donations to career and technical education centers.

SPONSORS: Sen. Watters, Dist 4; Sen. Bradley, Dist 3; Sen. D'Allesandro, Dist 20; Sen. Fuller Clark, Dist 21; Sen. Giuda, Dist 2; Sen. Gray, Dist 6; Sen. Levesque, Dist 12; Sen. Morgan, Dist 23; Sen. Sherman, Dist 24; Rep. Shaw, Hills. 16

COMMITTEE: Ways and Means

AMENDED ANALYSIS

This bill establishes a tax credit against business profits taxes for donations to career and technical education centers. The donation program is repealed June 30, 2022.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT establishing a tax credit against the business profits tax for donations to career and technical education centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 247:1 New Section; Regional Career and Technical Education Centers; Donations. Amend
2 RSA 188-E by inserting after section 9 the following new section:

3 188-E:9-a Donations to Regional Career and Technical Education Center Programs.

4 I. For purposes of this section "state fiscal year" shall mean the year beginning July 1 and
5 ending June 30.

6 II. A school district may accept a charitable donation of:

7 (a) Up to 50 percent of the cost of apprenticeship and training programs offered by the
8 regional CTE center, including the compensation of employees in direct supervision and training of
9 students in a CTE center program.

10 (b) Up to 50 percent of the salary paid to interns, apprentices, and trainees enrolled in a
11 CTE center program.

12 (c) Tangible personal property for a related use by an educational program offered by the
13 regional CTE center.

14 III. The school district shall report within 30 days the donor name and the value of each
15 charitable donation under paragraph II to the department of education.

16 IV. A donor who makes a qualifying charitable contribution under paragraph II shall be
17 allowed a credit against the business profits tax imposed under RSA 77-A as computed by the
18 department of education in paragraph V.

19 V. On or before August 1 of each year, the department of education shall compute the
20 amount of tax credits available from the donations made during the prior state fiscal year. The
21 aggregate of tax credits issued by the department of education to all donors claiming the credit
22 under this section shall not exceed \$500,000 for any state fiscal year. Credits claimed which exceed
23 the total allowed shall be granted in the donor's proportional share of the maximum aggregate credit
24 amount. On or before October 1 of each year, the department of education shall report all credits
25 issued to the department of revenue administration.

26 VI. On or before September 1 of each year, the department of education shall provide a
27 donor with a written statement of the amount of tax credit available which may be used by a donor
28 for purposes of the tax credit against business profits taxes provided in RSA 77-A:5, XVI, computed
29 according to paragraph V.

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1 VII. No later than January 1, 2020, the commissioner of the department of education shall
2 adopt rules pursuant to RSA 541-A, relative to:

3 (a) The administration of the issuance of tax credits for qualifying charitable donations
4 under this section.

5 (b) The design and content of the reports, forms, and statements required to be filed
6 with, or issued by, the department of education under this section.

7 VIII. On or before October 1 of each year, the department of education shall report to the
8 speaker of the house of representatives, the senate president, and the chairpersons of the house and
9 senate ways and means committees on the total value of charitable donations received by school
10 districts under this section, the tax credits issued to all donors, and the department's determination
11 of the effect the tax credit program has on educational programs offered by CTE centers and their
12 apprenticeship and training programs.

13 247:2 New Paragraph; Business Profits Tax; Credit for Donations to Regional Vocational
14 Education Centers. Amend RSA 77-A:5 by inserting after paragraph XV the following new
15 paragraph:

16 XVI. The tax credit computed under RSA 188-E:9-a for donations to regional career and
17 technical education center programs, provided that the credit allowed for a taxpayer under this
18 paragraph shall not exceed 25 percent of the tax due under this chapter for such taxpayer before any
19 credits under RSA 77-A:5 are taken into account.

20 247:3 Repeal; 2022. RSA 188-E:9-a, relative to donations to regional career and technical
21 education center programs, is repealed.

22 247:4 Effective Date.

23 I. Section 3 of this act shall take effect June 30, 2022.

24 II. The remainder of this act shall take effect July 1, 2019.

Approved: July 12, 2019

Effective Date:

I. Section 3 shall take effect June 30, 2022.

II. Remainder shall take effect July 1, 2019.