

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 5 Date APR 12 2011

TO: H.B. No. 1092, H.D. 1, S.D. 2

SECTION 1. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part I designation.

SECTION 2. House Bill No. 1092, H.D. 1, S.D. 2, is amended by amending Section 1 to read as follows:

"SECTION 1. The purpose of this Act is to amend Hawaii tax law to institute improvements and equity among taxpayers.

More specifically, this Act makes the deduction for state taxes paid inoperative for corporate taxpayers and the following individual taxpayers:

- (1) An individual filer with federal adjusted gross income of \$70,000 or more;
- (2) A head of household with federal adjusted gross income of \$105,000 or more; and
- (3) A joint or surviving spouse filer with federal adjusted gross income of \$140,000 or more."

SECTION 3. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part II designation and Part II contents of the bill.

SECTION 4. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part III designation.

SECTION 5. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 5 as Section 2, and amending it to read as follows:

"SECTION 2. Section 235-2.4, Hawaii Revised Statutes, is amended by amending subsection (h) to read as follows:

"(h) Section 164 (with respect to taxes) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that ~~[sections]~~:

- (1) Sections 164(a)(6) and 164(b)(6) shall not be operative for the purposes of this chapter[-]; and
- (2) The deductions under sections 164(a)(3) and 164(b)(5) shall not be operative for corporate taxpayers and shall be operative only for the following individual taxpayers:
 - (A) A taxpayer filing a single return or a married person filing separately with a federal adjusted gross income of less than \$70,000;



- (B) A taxpayer filing as a head of household with a federal adjusted gross income of less than \$105,000; and
- (C) A taxpayer filing a joint return or as a surviving spouse with a federal adjusted gross income of less than \$140,000."

SECTION 6. House Bill No. 1092, H.D. 1, S.D. 2, is amended by deleting the Part IV designation.

SECTION 7. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 6 as Section 3:

SECTION 8. House Bill No. 1092, H.D. 1, S.D. 2, is amended by renumbering Section 7 as Section 4, and amending it to read as follows:

"SECTION 4. This Act shall take effect on July 1, 2117, and shall apply to taxable years beginning after December 31, 2010."

Offered by: _____

Chris Hill

Carried

Failed to Carry

Withdrawn

