

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 144  
Feb 21, 2013  
HOUSE PRINCIPAL CLERK

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HOUSE DRH10069-MC-18 (01/15)

Short Title: Homeschool Education Income Tax Credit. (Public)

Sponsors: Representative Pittman.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE AN INCOME TAX CREDIT FOR CHILDREN WHO ARE HOME  
3 SCHOOLED.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Part 2 of Article 4 of Chapter 105 of the General Statutes is amended  
6 by adding a new section to read:

7 "§ 105-151.33A. Home school education credit.

8 (a) Credit. – A taxpayer is allowed a credit against the tax imposed by this Part for each  
9 of the taxpayer's eligible dependent children who is a resident of this State and who, for one or  
10 two semesters during the taxable year, is enrolled in a home school that meets the requirements  
11 of G.S. 115C-564. As used in this section, the term "eligible dependent child" means a child for  
12 whom the taxpayer is entitled to deduct a personal exemption under section 151(c) of the Code  
13 for the taxable year.

14 (b) Amount. – The credit is equal to twelve hundred fifty dollars (\$1,250) per semester.

15 (c) Semesters. – For the purposes of this section, there are two semesters during each  
16 taxable year. The spring semester is the first six months of the taxable year, and the fall  
17 semester is the second six months of the taxable year. An eligible dependent child is enrolled in  
18 a home school for a semester if the eligible dependent child is enrolled in that home school for  
19 more than 70 days during that semester.

20 (d) Disqualification. – A taxpayer may not qualify for a credit for any semester during  
21 which the taxpayer's eligible dependent child for whom the credit would otherwise be claimed  
22 met any of the following conditions:

23 (1) Spent any time enrolled in a public school.

24 (2) Spent any time enrolled as a full-time student taking at least 12 hours of  
25 academic credit in a postsecondary educational institution.

26 (3) Was 22 years or older during the entire semester.

27 (4) Graduated from high school prior to the end of the semester.

28 (e) Information. – In order to claim the credit allowed by this section, the taxpayer shall  
29 provide, when requested, the following to the Secretary:

30 (1) The name, address, social security number, and attendance record, as  
31 required by G.S. 115C-564, of each eligible dependent child for whom the  
32 credit is claimed.

33 (2) The taxpayer's certification that the eligible dependent child did not meet  
34 any of the disqualifying conditions set out in this section.

35 (3) The name of the local school administrative unit in which the eligible  
36 dependent child resides.



1           (4)    A copy of the Notice of Intent to Operate a Home School filed with the  
2                    Division of Nonpublic Education, Department of Administration.

3           (f)    Carryforward. – The credit allowed under this section may not exceed the amount of  
4 tax imposed by this Part reduced by the sum of all credits allowed against the tax, except  
5 payments of tax made by or on behalf of the taxpayer. Any unused portion of the credit may be  
6 carried forward for the succeeding three years.

7           (g)    No Other Requirements. – A home school attended by an eligible dependent child  
8 of the taxpayer who claims a credit under this section shall not be subject to any requirements  
9 other than those required by Part 3 of Article 39 of Chapter 115C of the General Statutes."

10           **SECTION 2.** The Department of Revenue shall report to the Revenue Laws Study  
11 Committee and the Joint Legislative Education Oversight Committee on the administration of  
12 G.S. 105-151.33A, as enacted by Section 1 of this act. The report is due by October 1, 2015,  
13 and shall include the following:

- 14           (1)    The number and amount of credits taken under G.S. 105-151.33A, itemized  
15                    by local school administrative unit in which the eligible dependent children  
16                    reside.
- 17           (2)    Any concerns relating to the administration of G.S. 105-151.33A or taxpayer  
18                    compliance with the requirements of that section.
- 19           (3)    Any other matter with respect to G.S. 105-151.33A the Department wishes  
20                    to address.

21           **SECTION 3.** Sections 1 and 2 of this act are effective for taxable years beginning  
22 on or after January 1, 2013, and apply to semesters for which the credit is claimed beginning on  
23 or after July 1, 2013. The remainder of this act is effective when it becomes law.