

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB16-001 be amended as follows:

1 Amend printed bill, page 2, line 3, strike "(III); and **add** (4) (f) (IV)".

2 Page 2, strike lines 7 through 23.

3 Strike page 3.

4 Page 4, strike lines 1 through 13 and substitute:

5 "~~(f) (I) For income tax years commencing on or after January 1,~~
6 ~~1989;~~ Amounts received as pensions or annuities from any source, by any
7 individual who is fifty-five years of age or older at the close of the taxable
8 year, to the extent included in federal adjusted gross income or as added
9 in paragraph (c) of subsection (3) of this section;

10 ~~(II) For income tax years commencing on or after January 1, 1989;~~
11 Amounts received as pensions or annuities from any source by any
12 individual who is less than fifty-five years of age at the close of the
13 taxable year if such benefits are received because of the death of the
14 person originally entitled to receive such benefits and only to the extent
15 such benefits are included in federal adjusted gross income or as added
16 in paragraph (c) of subsection (3) of this section;

17 (II.5) FOR INCOME TAX YEARS COMMENCING ON OR AFTER
18 JANUARY 1, 2017, THERE IS NO LIMIT ON THE AMOUNT SUBTRACTED
19 UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (f) FOR AN
20 AMOUNT RECEIVED AS A PENSION OR ANNUITY THAT ARISES FROM AN
21 INDIVIDUAL'S SERVICE IN THE UNIFORMED SERVICES OF THE UNITED
22 STATES.

23 ~~(III) For income tax years commencing on or after January 1,~~
24 ~~1989;~~ Amounts subtracted under SUBPARAGRAPHS (I) AND (II) OF this
25 paragraph (f) FOR A PENSION OR ANNUITY THAT ARISES FROM ANY SOURCE
26 OTHER THAN AN INDIVIDUAL'S SERVICE IN THE UNIFORMED SERVICES OF
27 THE UNITED STATES, shall not exceed twenty thousand dollars per tax
28 year; except that ~~for income tax years commencing on or after January 1,~~
29 ~~2000;~~ amounts subtracted under subparagraph (I) of this paragraph (f)
30 FROM THESE SAME SOURCES shall not exceed twenty-four thousand dollars
31 per tax year for any individual who is sixty-five years of age or older at
32 the close of the taxable year. For the purpose of determining the exclusion
33 allowed by this paragraph (f), in the case of a joint return, social security

1 benefits included in federal taxable income shall be apportioned in a ratio
2 of the gross social security benefits of each taxpayer to the total gross
3 social security benefits of both taxpayers. For the purposes of this
4 paragraph (f), "pensions ~~and~~ OR annuities" means retirement benefits that
5 are periodic payments attributable to personal services performed by an
6 individual prior to his or her retirement from employment and that arise
7 from an employer-employee relationship, from service in the uniformed
8 services of the United States, or from contributions to a retirement plan
9 which are deductible for federal income tax purposes. "Pensions ~~and~~ OR
10 annuities" includes ~~lump-sum distributions from pension and profit~~
11 ~~sharing plans to the extent that such distributions qualify for the~~
12 ~~tax-averaging computation under section 402 (e) (1) of the internal~~
13 ~~revenue code~~, distributions from individual retirement arrangements and
14 self-employed retirement accounts to the extent that such distributions are
15 not deemed to be premature distributions for federal income tax purposes,
16 amounts received from fully matured privately purchased annuities, social
17 security benefits, and amounts paid from any such sources by reason of
18 permanent disability or death of the person entitled to receive the benefits.

19 **SECTION 2. Act subject to petition - effective date -**
20 **applicability.** (1) This act".

21 Page 4, after line 22 insert:

22 "(2) This act applies for income tax years that commence after the
23 applicable effective date of this act."

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