

By: Representative Holloway (By Request)

To: Ways and Means

HOUSE BILL NO. 425

1 AN ACT TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT CHILD SUPPORT PAYMENTS MADE PURSUANT TO COURT ORDER
3 SHALL BE ALLOWED AS AN ADJUSTMENT TO GROSS INCOME UNDER THE
4 MISSISSIPPI INCOME TAX LAW; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 27-7-18, Mississippi Code of 1972, is
7 amended as follows:

8 27-7-18. (1) Alimony payments. In the case of a person
9 described in Section 27-7-15(2)(e), there shall be allowed as a
10 deduction from gross income amounts paid as periodic payments to
11 the extent of such amounts as are includible in the gross income
12 of the spouse as provided in Section 27-7-15(2)(e), payment of
13 which is made within the person's taxable year.

14 (2) Unreimbursed moving expenses incurred after December 31,
15 1994, are deductible as an adjustment to gross income in
16 accordance with provisions of the United States Internal Revenue
17 Code, and rules, regulations and revenue procedures thereunder
18 relating to moving expenses, not in direct conflict with the
19 provisions of the Mississippi Income Tax Law.

20 (3) Amounts paid after December 31, 1998, by a self-employed
21 individual for insurance which constitute medical care for the
22 taxpayer, his spouse and dependents, are deductible as an
23 adjustment to gross income in accordance with provisions of the
24 United States Internal Revenue Code, and rules, regulations and
25 revenue procedures thereunder relating to such payments, not in
26 direct conflict with the provisions of the Mississippi Income Tax
27 Law.



28 (4) Amounts paid by a taxpayer as child support payments are
29 deductible as an adjustment to gross income. For the purposes of
30 this subsection (4), "child support payments" means any payment
31 made for the support of a dependent, which payment is made
32 pursuant to any order rendered by a court of competent
33 jurisdiction. To obtain the adjustment to gross income, a
34 taxpayer must provide the State Tax Commission with a copy of the
35 court order under which the taxpayer made the child support
36 payments for which the adjustment is claimed.

37 SECTION 2. Nothing in this act shall affect or defeat any
38 claim, assessment, appeal, suit, right or cause of action for
39 taxes due or accrued under the income tax laws before the date on
40 which this act becomes effective, whether such claims,
41 assessments, appeals, suits or actions have been begun before the
42 date on which this act becomes effective or are begun thereafter;
43 and the provisions of the income tax laws are expressly continued
44 in full force, effect and operation for the purpose of the
45 assessment, collection and enrollment of liens for any taxes due
46 or accrued and the execution of any warrant under such laws before
47 the date on which this act becomes effective, and for the
48 imposition of any penalties, forfeitures or claims for failure to
49 comply with such laws.

50 SECTION 3. This act shall take effect and be in force from
51 and after January 1, 2001.

