

By: Representative Holloway

To: Ways and Means

HOUSE BILL NO. 334

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) Contributions or payments to a Mississippi Affordable
29 College Savings (MACS) Program account are deductible from gross
30 income as provided in Section 37-155-113. Payments made under a
31 prepaid tuition contract entered into under the Mississippi
32 Prepaid Affordable College Tuition Program are deductible as
33 provided in Section 37-155-17.

34 (5) Amounts paid by a taxpayer as child support payments are
35 deductible as an adjustment to gross income. For the purposes of
36 this subsection (5), "child support payments" means any payment
37 made for the support of a dependent, which payment is made
38 pursuant to any order rendered by a court of competent
39 jurisdiction. To obtain the adjustment to gross income, a
40 taxpayer must provide the State Tax Commission with a copy of the
41 court order under which the taxpayer made the child support
42 payments for which the adjustment is claimed.

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

56 **SECTION 3.** This act shall take effect and be in force from
57 and after January 1, 2002.

