

By: Representatives Hopkins, Boyd, Brown,
Criswell, Ford, Kinkade, McNeal, Morgan

To: Ways and Means

HOUSE BILL NO. 1208

1 AN ACT TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE A DEDUCTION AS AN ADJUSTMENT TO GROSS INCOME UNDER THE
3 STATE INCOME TAX LAW FOR CONTRIBUTIONS OR GIFTS OF ITEMS SUCH AS
4 FOOD, CLOTHING, BOOKS, HYGIENE PRODUCTS AND SIMILAR ITEMS MADE TO
5 INDIVIDUALS WHO ARE PERFORMING FEDERAL SERVICE AS MEMBERS OF THE
6 ARMED FORCES OF THE UNITED STATES IN AN ACTIVE DUTY STATUS; AND
7 FOR RELATED PURPOSES.

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

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

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

17 (2) Unreimbursed moving expenses incurred after December 31,
18 1994, are deductible as an adjustment to gross income in
19 accordance with provisions of the United States Internal Revenue
20 Code, and rules, regulations and revenue procedures thereunder



21 relating to moving expenses, not in direct conflict with the
22 provisions of the Mississippi Income Tax Law.

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

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

37 (5) (a) Unreimbursed travel expenses, lodging expenses and
38 lost wages an individual incurred as a result of, and related to,
39 the donation, while living, of one or more of his or her organs
40 for human organ transplantation, are deductible from gross income.
41 The deduction from gross income authorized by this subsection may
42 be claimed for only once and may not exceed Ten Thousand Dollars
43 (\$10,000.00).

44 (b) As used in this subsection, "organ" means all or
45 part of a liver, pancreas, kidney, intestine, lung or bone marrow.



(6) In the case of a self-employed individual, there shall be allowed as a deduction from gross income an amount equal to:

(a) Seventeen percent (17%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2017;

(b) Thirty-four percent (34%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2018; and

(c) Fifty percent (50%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2019 and thereafter.

(7) Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible from gross income as provided in Section 43-28-13.

(8) Contributions or gifts of items such as food, clothing, books, hygiene products and similar items made to an individual who is performing federal service as a member of the Armed Forces of the United States in an active duty status. The deduction from gross income authorized in this subsection shall be equal to the lesser of One Thousand Dollars (\$1,000.00) or the aggregate amount of costs paid by a taxpayer for all such contributions or gifts made during a taxable year.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws before the date on



71 which this act becomes effective, whether such claims,
72 assessments, appeals, suits or actions have been begun before the
73 date on which this act becomes effective or are begun thereafter;
74 and the provisions of the income tax laws are expressly continued
75 in full force, effect and operation for the purpose of the
76 assessment, collection and enrollment of liens for any taxes due
77 or accrued and the execution of any warrant under such laws before
78 the date on which this act becomes effective, and for the
79 imposition of any penalties, forfeitures or claims for failure to
80 comply with such laws.

81 **SECTION 3.** This act shall take effect and be in force from
82 and after January 1, 2019.

