

By: Representatives Pierce, Carlton

To: Ways and Means

HOUSE BILL NO. 745

1 AN ACT TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT UNREIMBURSED EXPENSES OF MEMBERS OF THE NATIONAL
3 GUARD OR THE ARMED FORCES RESERVES FOR OVERNIGHT TRAVEL AWAY FROM
4 HOME TO ATTEND MEETINGS OF THE NATIONAL GUARD OR RESERVES ARE
5 DEDUCTIBLE AS AN ADJUSTMENT TO GROSS INCOME UNDER THE STATE INCOME
6 TAX LAW IN ACCORDANCE WITH PROVISIONS OF THE UNITED STATES
7 INTERNAL REVENUE CODE; AND 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) Unreimbursed expenses of members of the National Guard
38 or any reserve component of the Armed Forces of the United States
39 for overnight travel away from home to attend meetings of the
40 National Guard or reserve component of the Armed Forces are
41 deductible as an adjustment to gross income in accordance with
42 provisions of the United States Internal Revenue Code, and rules,
43 regulations and revenue procedures thereunder relating to those
44 travel expenses, not in direct conflict with the provisions of the
45 Mississippi Income Tax Law.

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

59 **SECTION 3.** This act shall take effect and be in force from
60 and after January 1, 2005.