

1 SENATE BILL 52

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Bill Tallman and Pamelya Herndon

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10 AN ACT

11 RELATING TO TAXATION; INCREASING THE AMOUNT OF THE CHILD INCOME  
12 TAX CREDIT.

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 7-2-18.34 NMSA 1978 (being Laws 2022,  
16 Chapter 47, Section 5) is amended to read:

17 "7-2-18.34. CHILD INCOME TAX CREDIT.--

18 A. For taxable years beginning January 1, 2023 and  
19 prior to January 1, 2032, a taxpayer who is a resident and is  
20 not a dependent of another individual may apply for, and the  
21 department may allow, a credit against the taxpayer's tax  
22 liability imposed pursuant to the Income Tax Act for each  
23 qualifying child of the taxpayer. The tax credit provided by  
24 this section may be referred to as the "child income tax  
25 credit".

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underscored material = new  
[bracketed material] = delete

1                   B. The child income tax credit may be claimed as  
2 shown in the following table:

Adjusted gross income is		Amount of credit per
Over	But not over	qualifying child is
\$ 0	\$ 25,000	\$ <del>[175]</del> <u>202</u>
25,000	50,000	<del>[150]</del> <u>173</u>
50,000	75,000	<del>[125]</del> <u>144</u>
75,000	100,000	<del>[100]</del> <u>115</u>
100,000	200,000	<del>[75]</del> <u>87</u>
200,000	350,000	<del>[50]</del> <u>58</u>
350,000		<del>[25]</del> <u>29</u> .

12                   C. If a taxpayer's adjusted gross income is less  
13 than zero, the taxpayer may claim a tax credit in the amount  
14 shown in the first row of the table provided in Subsection B of  
15 this section.

16                   D. To receive a child income tax credit, a taxpayer  
17 shall apply to the department on forms and in the manner  
18 prescribed by the department.

19                   E. That portion of a child income tax credit that  
20 exceeds a taxpayer's tax liability in the taxable year in which  
21 the credit is claimed shall be refunded.

22                   F. Married individuals filing separate returns for  
23 a taxable year for which they could have filed a joint return  
24 may each claim only one-half of the child income tax credit  
25 that would have been claimed on a joint return.

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