Sen. Sanborn, Dist. 9
Sen. Boutin, Dist. 16
Sen. Bradley, Dist. 3
Sen. Morse, Dist. 22
February 9, 2016
2016-0478s
10/05

Floor Amendment to SB 552-FN

Amend the title of the bill by replacing it with the following:

AN ACT relative to application of the Internal Revenue Code to provisions of the business profits tax.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Business Profits Tax; Definition; United States Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (l) the following new subparagraph:

(m) For all taxable periods beginning on or after January 1, 2016, the United States Internal Revenue Code of 1986, as amended, subject to RSA 77-A:3-a.

2 Business Profits Tax; Adjustments; Internal Revenue Code. RSA 77-A:3-a is repealed and reenacted to read as follows:

77-A:3-a Adjustments; Internal Revenue Code Provisions. In determining gross business profits for any period, before net operating loss and special deductions, a business organization shall apply the provisions of the United States Internal Revenue Code consistent with the provisions of this chapter, with the following adjustments:

I. The United States Internal Revenue Code shall be applied without section 168(k) of such code.

II. The United States Internal Revenue Code shall be applied without section 199 of such code.

3 Applicability.

I. Section 1 of this act shall take effect for taxable periods beginning on or after January 1, 2016.

II. Section 2 of this act shall take effect for property placed in service on or after January 1, 2016.

4 New Paragraph; Duties of the Commissioner of Revenue Administration; Report; Internal Revenue Code Changes. Amend RSA 21-J:3 by inserting after paragraph XXXII the following new paragraph:

XXXIII. File a report at least biennially with the finance committees of the senate and the house of representatives informing the committees of changes to the United States Internal

Revenue Code, related Treasury Regulations, and administrative rulings which would impact New Hampshire.

5 Repeal. RSA 77-A:1, X(g), relative to a reference to the Internal Revenue Code, is repealed.

6 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill updates the effective version of the United States Internal Revenue Code of 1986 applicable to the business profits tax, subject to certain adjustments. The bill also requires the commissioner of revenue administration to report biennially on changes to the Internal Revenue Code.