

2019 -- H 5223

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO TAXATION -- PERSONAL INCOME TAX

Introduced By: Representatives Casey, Morin, Phillips, Filippi, and Edwards

Date Introduced: January 30, 2019

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 44-30 of the General Laws entitled "Personal Income Tax" is
2 hereby amended by adding thereto the following section:

3 **44-30-12.1. Out-of-state pension benefits.**

4 (a) A resident of the state of Rhode Island who collects a pension that originates in
5 another state which collects income tax, may have that portion of their pension to which they
6 contributed, and said contribution having been already taxed by the state in which it was earned,
7 exempted from any income tax imposed in Rhode Island; provided, the taxpayer, or the taxpayer's
8 surviving spouse as provided in subsection (b) of this section, furnishes to the division of taxation
9 a statement, on letterhead of the state institution to which said contributions were made, of the
10 total contributions made by the taxpayer to their pension. The exemption shall be credited against
11 the total amount contributed by the taxpayer until the total amount of the taxpayer's pension
12 contribution has been reached.

13 (b) In the event of the taxpayer's death, the exemption shall cease; provided, however, if a
14 taxpayer's surviving spouse receives a reduced amount of the deceased taxpayer's pension, then in
15 such event, the surviving spouse shall be eligible to receive the exemption. The exemption shall
16 terminate upon the earlier of:

17 (1) The death of the surviving spouse; or

18 (2) The limit of the total pension contributions made by the deceased taxpayer has been
19 reached.

1 [\(c\) The exemption contained in this section shall only occur if the taxpayer has not used](#)
2 [the exemption when residing in another state.](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION -- PERSONAL INCOME TAX

- 1 This act would exempt from state taxation certain pension benefits that originate from,
- 2 and were taxed in another state.
- 3 This act would take effect upon passage.

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