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18 This chapter shall be known and may be cited as "The Rhode Island Family Caregiver Tax

Credit Act."

44-30.4-2. Definitions.

As used in this chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) "Activities of daily living (ADL)" means and includes:

(i) Ambulating, which is the extent of an individual's ability to move from one position to another and walk independently;

(ii) Feeding, which is the ability of an individual to feed oneself;

(iii) Dressing, which is the ability to select appropriate clothes and to put the clothes on without aid;

(iv) Personal hygiene, which is the ability to bathe and groom oneself and maintain dental hygiene and hair and nail care;

(v) Continence, which is the ability to control bladder and bowel function; and

(vi) Toileting, which is the ability to get to and from the toilet without aid, using it appropriately, and cleaning oneself.

(2) "Eligible expenditure" means and includes:

(i) The improvement or alteration to the eligible family caregiver's or eligible family member's primary residence to permit the eligible family member to live in the residence and to remain mobile, safe and independent;

(ii) The eligible family caregiver's purchase or lease of equipment including, but not limited to, durable medical equipment, that is necessary to assist the eligible family member in carrying out one or more activities of daily livings (ADL); and

(iii) Other paid or incurred expenses by the eligible family caregiver that assist the eligible family caregiver in providing care to an eligible family member. These expenses include, but are not limited to, the following:

(A) Hiring a home care aide;

(B) Temporary respite care;

(C) Adult day care;

(D) Personal care attendants;

(E) Health care equipment; and

(F) Technology.

(iv) The eligible expenditures shall be directly related to assisting the eligible family caregiver in providing care to an eligible family member. Eligible expenditures shall not include items or services that are reimbursable by the eligible family member's healthcare insurance

including state and federal government insurance programs or the carrying out of general household maintenance activities such as painting, plumbing, electrical repairs, or exterior maintenance.

(3) "Eligible family caregiver" means a resident taxpayer of the state who provides care and support to an eligible family member and:

(i) Who has a federal adjusted gross income for the taxable year less than fifty thousand dollars (\$50,000) for an individual and less than one hundred thousand dollars (\$100,00) for a couple filing jointly; and

(ii) Who has personally incurred uncompensated expenses directly related to the care of an eligible family member.

(4) "Eligible family member" means an individual who:

(i) Is sixty-five (65) years of age or older or has qualified for Social Security Disability Benefits Insurance;

(ii) Resides with the eligible family caregiver at their permanent place of residence in the state for not less than six (6) months of the taxable year;

(iii) Does not reside in an assisted living center, nursing facility, or residential care home;

(iv) Requires assistance with at least two (2) activities of daily living (ADL) certified by a licensed health care provider; and

(v) Is a dependent, spouse, domestic partner, sibling, grandparent, grandchild, or is a second degree relative.

44-30.4-3. Implementation.

(a) For taxable years beginning after December 31, 2026, there shall be allowed a credit against the tax imposed pursuant to § 44-30-2.6 ("Rhode Island taxable income -- Rate of tax") in the amount of fifty percent (50%) for eligible expenditures incurred by a family caregiver for the care and support of an eligible family member.

(b) The maximum allowable credit authorized by this section shall be one thousand dollars (\$1000). If two (2) or more family caregivers claim the tax credit for the same eligible family member, the maximum allowable credit shall be allocated in equal amounts between each of the family caregivers.

(c) The credit authorized under this section shall not be used to reduce the tax liability of the taxpayer to less than zero. The credit shall not be carried over into a subsequent tax year.

(d) The department of revenue shall promulgate rules and regulations necessary to implement and administer the credit authorized by this section.

SECTION 3. Section 44-30-2.6 of the General Laws in Chapter 44-30 entitled "Personal Income Tax" is hereby amended to read as follows:

1 **44-30-2.6. Rhode Island taxable income — Rate of tax.**

2 (a) “Rhode Island taxable income” means federal taxable income as determined under the
3 Internal Revenue Code, 26 U.S.C. § 1 et seq., not including the increase in the basic, standard-
4 deduction amount for married couples filing joint returns as provided in the Jobs and Growth Tax
5 Relief Reconciliation Act of 2003 and the Economic Growth and Tax Relief Reconciliation Act of
6 2001 (EGTRRA), and as modified by the modifications in § 44-30-12.

7 (b) Notwithstanding the provisions of §§ 44-30-1 and 44-30-2, for tax years beginning on
8 or after January 1, 2001, a Rhode Island personal income tax is imposed upon the Rhode Island
9 taxable income of residents and nonresidents, including estates and trusts, at the rate of twenty-five
10 and one-half percent (25.5%) for tax year 2001, and twenty-five percent (25%) for tax year 2002
11 and thereafter of the federal income tax rates, including capital gains rates and any other special
12 rates for other types of income, except as provided in § 44-30-2.7, which were in effect immediately
13 prior to enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA);
14 provided, rate schedules shall be adjusted for inflation by the tax administrator beginning in taxable
15 year 2002 and thereafter in the manner prescribed for adjustment by the commissioner of Internal
16 Revenue in 26 U.S.C. § 1(f). However, for tax years beginning on or after January 1, 2006, a
17 taxpayer may elect to use the alternative flat tax rate provided in § 44-30-2.10 to calculate his or
18 her personal income tax liability.

19 (c) For tax years beginning on or after January 1, 2001, if a taxpayer has an alternative
20 minimum tax for federal tax purposes, the taxpayer shall determine if he or she has a Rhode Island
21 alternative minimum tax. The Rhode Island alternative minimum tax shall be computed by
22 multiplying the federal tentative minimum tax without allowing for the increased exemptions under
23 the Jobs and Growth Tax Relief Reconciliation Act of 2003 (as redetermined on federal form 6251
24 Alternative Minimum Tax-Individuals) by twenty-five and one-half percent (25.5%) for tax year
25 2001, and twenty-five percent (25%) for tax year 2002 and thereafter, and comparing the product
26 to the Rhode Island tax as computed otherwise under this section. The excess shall be the taxpayer’s
27 Rhode Island alternative minimum tax.

28 (1) For tax years beginning on or after January 1, 2005, and thereafter, the exemption
29 amount for alternative minimum tax, for Rhode Island purposes, shall be adjusted for inflation by
30 the tax administrator in the manner prescribed for adjustment by the commissioner of Internal
31 Revenue in 26 U.S.C. § 1(f).

32 (2) For the period January 1, 2007, through December 31, 2007, and thereafter, Rhode
33 Island taxable income shall be determined by deducting from federal adjusted gross income as
34 defined in 26 U.S.C. § 62 as modified by the modifications in § 44-30-12 the Rhode Island

1 itemized-deduction amount and the Rhode Island exemption amount as determined in this section.

2 (A) **Tax imposed.**

3 (1) There is hereby imposed on the taxable income of married individuals filing joint
4 returns and surviving spouses a tax determined in accordance with the following table:

5 If taxable income is:	The tax is:
6 Not over \$53,150	3.75% of taxable income
7 Over \$53,150 but not over \$128,500	\$1,993.13 plus 7.00% of the excess over \$53,150
8 Over \$128,500 but not over \$195,850	\$7,267.63 plus 7.75% of the excess over \$128,500
9 Over \$195,850 but not over \$349,700	\$12,487.25 plus 9.00% of the excess over \$195,850
10 Over \$349,700	\$26,333.75 plus 9.90% of the excess over \$349,700

11 (2) There is hereby imposed on the taxable income of every head of household a tax
12 determined in accordance with the following table:

13 If taxable income is:	The tax is:
14 Not over \$42,650	3.75% of taxable income
15 Over \$42,650 but not over \$110,100	\$1,599.38 plus 7.00% of the excess over \$42,650
16 Over \$110,100 but not over \$178,350	\$6,320.88 plus 7.75% of the excess over \$110,100
17 Over \$178,350 but not over \$349,700	\$11,610.25 plus 9.00% of the excess over \$178,350
18 Over \$349,700	\$27,031.75 plus 9.90% of the excess over \$349,700

19 (3) There is hereby imposed on the taxable income of unmarried individuals (other than
20 surviving spouses and heads of households) a tax determined in accordance with the following
21 table:

22 If taxable income is:	The tax is:
23 Not over \$31,850	3.75% of taxable income
24 Over \$31,850 but not over \$77,100	\$1,194.38 plus 7.00% of the excess over \$31,850
25 Over \$77,100 but not over \$160,850	\$4,361.88 plus 7.75% of the excess over \$77,100
26 Over \$160,850 but not over \$349,700	\$10,852.50 plus 9.00% of the excess over \$160,850
27 Over \$349,700	\$27,849.00 plus 9.90% of the excess over \$349,700

28 (4) There is hereby imposed on the taxable income of married individuals filing separate
29 returns and bankruptcy estates a tax determined in accordance with the following table:

30 If taxable income is:	The tax is:
31 Not over \$26,575	3.75% of taxable income
32 Over \$26,575 but not over \$64,250	\$996.56 plus 7.00% of the excess over \$26,575
33 Over \$64,250 but not over \$97,925	\$3,633.81 plus 7.75% of the excess over \$64,250
34 Over \$97,925 but not over \$174,850	\$6,243.63 plus 9.00% of the excess over \$97,925

1	Over \$174,850	\$13,166.88 plus 9.90% of the excess over \$174,850
2	(5) There is hereby imposed a taxable income of an estate or trust a tax determined in	
3	accordance with the following table:	
4	If taxable income is:	The tax is:
5	Not over \$2,150	3.75% of taxable income
6	Over \$2,150 but not over \$5,000	\$80.63 plus 7.00% of the excess over \$2,150
7	Over \$5,000 but not over \$7,650	\$280.13 plus 7.75% of the excess over \$5,000
8	Over \$7,650 but not over \$10,450	\$485.50 plus 9.00% of the excess over \$7,650
9	Over \$10,450	\$737.50 plus 9.90% of the excess over \$10,450

10 (6) Adjustments for inflation.

11 The dollars amount contained in paragraph (A) shall be increased by an amount equal to:

12 (a) Such dollar amount contained in paragraph (A) in the year 1993, multiplied by;

13 (b) The cost-of-living adjustment determined under section (J) with a base year of 1993;

14 (c) The cost-of-living adjustment referred to in subparagraphs (a) and (b) used in making
15 adjustments to the nine percent (9%) and nine and nine tenths percent (9.9%) dollar amounts shall
16 be determined under section (J) by substituting “1994” for “1993.”

17 **(B) Maximum capital gains rates.**

18 (1) In general.

19 If a taxpayer has a net capital gain for tax years ending prior to January 1, 2010, the tax
20 imposed by this section for such taxable year shall not exceed the sum of:

21 (a) 2.5% of the net capital gain as reported for federal income tax purposes under section
22 26 U.S.C. § 1(h)(1)(a) and 26 U.S.C. § 1(h)(1)(b).

23 (b) 5% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.
24 § 1(h)(1)(c).

25 (c) 6.25% of the net capital gain as reported for federal income tax purposes under 26
26 U.S.C. § 1(h)(1)(d).

27 (d) 7% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.
28 § 1(h)(1)(e).

29 (2) For tax years beginning on or after January 1, 2010, the tax imposed on net capital gain
30 shall be determined under subdivision 44-30-2.6(c)(2)(A).

31 **(C) Itemized deductions.**

32 (1) In general.

33 For the purposes of section (2), “itemized deductions” means the amount of federal
34 itemized deductions as modified by the modifications in § 44-30-12.

1 (2) Individuals who do not itemize their deductions.

2 In the case of an individual who does not elect to itemize his deductions for the taxable
3 year, they may elect to take a standard deduction.

4 (3) Basic standard deduction.

5 The Rhode Island standard deduction shall be allowed in accordance with the following
6 table:

7	Filing status	Amount
8	Single	\$5,350
9	Married filing jointly or qualifying widow(er)	\$8,900
10	Married filing separately	\$4,450
11	Head of Household	\$7,850

12 (4) Additional standard deduction for the aged and blind.

13 An additional standard deduction shall be allowed for individuals age sixty-five (65) or
14 older or blind in the amount of \$1,300 for individuals who are not married and \$1,050 for
15 individuals who are married.

16 (5) Limitation on basic standard deduction in the case of certain dependents.

17 In the case of an individual to whom a deduction under section (E) is allowable to another
18 taxpayer, the basic standard deduction applicable to such individual shall not exceed the greater of:

19 (a) \$850;

20 (b) The sum of \$300 and such individual's earned income;

21 (6) Certain individuals not eligible for standard deduction.

22 In the case of:

23 (a) A married individual filing a separate return where either spouse itemizes deductions;

24 (b) Nonresident alien individual;

25 (c) An estate or trust;

26 The standard deduction shall be zero.

27 (7) Adjustments for inflation.

28 Each dollar amount contained in paragraphs (3), (4) and (5) shall be increased by an amount
29 equal to:

30 (a) Such dollar amount contained in paragraphs (3), (4) and (5) in the year 1988, multiplied
31 by

32 (b) The cost-of-living adjustment determined under section (J) with a base year of 1988.

33 **(D) Overall limitation on itemized deductions.**

34 (1) General rule.

1 In the case of an individual whose adjusted gross income as modified by § 44-30-12
2 exceeds the applicable amount, the amount of the itemized deductions otherwise allowable for the
3 taxable year shall be reduced by the lesser of:

4 (a) Three percent (3%) of the excess of adjusted gross income as modified by § 44-30-12
5 over the applicable amount; or

6 (b) Eighty percent (80%) of the amount of the itemized deductions otherwise allowable for
7 such taxable year.

8 (2) Applicable amount.

9 (a) In general.

10 For purposes of this section, the term “applicable amount” means \$156,400 (\$78,200 in the
11 case of a separate return by a married individual)

12 (b) Adjustments for inflation.

13 Each dollar amount contained in paragraph (a) shall be increased by an amount equal to:

14 (i) Such dollar amount contained in paragraph (a) in the year 1991, multiplied by

15 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

16 (3) Phase-out of Limitation.

17 (a) In general.

18 In the case of taxable year beginning after December 31, 2005, and before January 1, 2010,
19 the reduction under section (1) shall be equal to the applicable fraction of the amount which would
20 be the amount of such reduction.

21 (b) Applicable fraction.

22 For purposes of paragraph (a), the applicable fraction shall be determined in accordance
23 with the following table:

24 For taxable years beginning in calendar year	The applicable fraction is
25 2006 and 2007	$\frac{2}{3}$
26 2008 and 2009	$\frac{1}{3}$

27 **(E) Exemption amount.**

28 (1) In general.

29 Except as otherwise provided in this subsection, the term “exemption amount” means
30 \$3,400.

31 (2) Exemption amount disallowed in case of certain dependents.

32 In the case of an individual with respect to whom a deduction under this section is allowable
33 to another taxpayer for the same taxable year, the exemption amount applicable to such individual
34 for such individual's taxable year shall be zero.

1 (3) Adjustments for inflation.

2 The dollar amount contained in paragraph (1) shall be increased by an amount equal to:

3 (a) Such dollar amount contained in paragraph (1) in the year 1989, multiplied by

4 (b) The cost-of-living adjustment determined under section (J) with a base year of 1989.

5 (4) Limitation.

6 (a) In general.

7 In the case of any taxpayer whose adjusted gross income as modified for the taxable year
8 exceeds the threshold amount shall be reduced by the applicable percentage.

9 (b) Applicable percentage.

10 In the case of any taxpayer whose adjusted gross income for the taxable year exceeds the
11 threshold amount, the exemption amount shall be reduced by two (2) percentage points for each
12 \$2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year
13 exceeds the threshold amount. In the case of a married individual filing a separate return, the
14 preceding sentence shall be applied by substituting "\$1,250" for "\$2,500." In no event shall the
15 applicable percentage exceed one hundred percent (100%).

16 (c) Threshold Amount.

17 For the purposes of this paragraph, the term "threshold amount" shall be determined with
18 the following table:

19 Filing status	Amount
20 Single	\$156,400
21 Married filing jointly of qualifying widow(er)	\$234,600
22 Married filing separately	\$117,300
23 Head of Household	\$195,500

24 (d) Adjustments for inflation.

25 Each dollar amount contained in paragraph (b) shall be increased by an amount equal to:

26 (i) Such dollar amount contained in paragraph (b) in the year 1991, multiplied by

27 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

28 (5) Phase-out of limitation.

29 (a) In general.

30 In the case of taxable years beginning after December 31, 2005, and before January 1,
31 2010, the reduction under section 4 shall be equal to the applicable fraction of the amount which
32 would be the amount of such reduction.

33 (b) Applicable fraction.

34 For the purposes of paragraph (a), the applicable fraction shall be determined in accordance

1 with the following table:

2 For taxable years beginning in calendar year	The applicable fraction is
3 2006 and 2007	$\frac{2}{3}$
4 2008 and 2009	$\frac{1}{3}$

5 (F) **Alternative minimum tax.**

6 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this
7 subtitle) a tax equal to the excess (if any) of:

8 (a) The tentative minimum tax for the taxable year, over

9 (b) The regular tax for the taxable year.

10 (2) The tentative minimum tax for the taxable year is the sum of:

11 (a) 6.5 percent of so much of the taxable excess as does not exceed \$175,000, plus

12 (b) 7.0 percent of so much of the taxable excess above \$175,000.

13 (3) The amount determined under the preceding sentence shall be reduced by the alternative
14 minimum tax foreign tax credit for the taxable year.

15 (4) Taxable excess. For the purposes of this subsection the term “taxable excess” means so
16 much of the federal alternative minimum taxable income as modified by the modifications in § 44-
17 30-12 as exceeds the exemption amount.

18 (5) In the case of a married individual filing a separate return, subparagraph (2) shall be
19 applied by substituting “\$87,500” for \$175,000 each place it appears.

20 (6) Exemption amount.

21 For purposes of this section "exemption amount" means:

22 Filing status	Amount
23 Single	\$39,150
24 Married filing jointly or qualifying widow(er)	\$53,700
25 Married filing separately	\$26,850
26 Head of Household	\$39,150
27 Estate or trust	\$24,650

28 (7) Treatment of unearned income of minor children

29 (a) In general.

30 In the case of a minor child, the exemption amount for purposes of section (6) shall not
31 exceed the sum of:

32 (i) Such child's earned income, plus

33 (ii) \$6,000.

34 (8) Adjustments for inflation.

1 The dollar amount contained in paragraphs (6) and (7) shall be increased by an amount
2 equal to:

3 (a) Such dollar amount contained in paragraphs (6) and (7) in the year 2004, multiplied by

4 (b) The cost-of-living adjustment determined under section (J) with a base year of 2004.

5 (9) Phase-out.

6 (a) In general.

7 The exemption amount of any taxpayer shall be reduced (but not below zero) by an amount
8 equal to twenty-five percent (25%) of the amount by which alternative minimum taxable income
9 of the taxpayer exceeds the threshold amount.

10 (b) Threshold amount.

11 For purposes of this paragraph, the term “threshold amount” shall be determined with the
12 following table:

13	Filing status	Amount
14	Single	\$123,250
15	Married filing jointly or qualifying widow(er)	\$164,350
16	Married filing separately	\$82,175
17	Head of Household	\$123,250
18	Estate or Trust	\$82,150

19 (c) Adjustments for inflation

20 Each dollar amount contained in paragraph (9) shall be increased by an amount equal to:

21 (i) Such dollar amount contained in paragraph (9) in the year 2004, multiplied by

22 (ii) The cost-of-living adjustment determined under section (J) with a base year of 2004.

23 **(G) Other Rhode Island taxes.**

24 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this
25 subtitle) a tax equal to twenty-five percent (25%) of:

26 (a) The Federal income tax on lump-sum distributions.

27 (b) The Federal income tax on parents' election to report child's interest and dividends.

28 (c) The recapture of Federal tax credits that were previously claimed on Rhode Island
29 return.

30 **(H) Tax for children under 18 with investment income.**

31 (1) General rule. There is hereby imposed a tax equal to twenty-five percent (25%) of:

32 (a) The Federal tax for children under the age of 18 with investment income.

33 **(I) Averaging of farm income.**

34 (1) General rule. At the election of an individual engaged in a farming business or fishing

1 business, the tax imposed in section 2 shall be equal to twenty-five percent (25%) of:

2 (a) The Federal averaging of farm income as determined in IRC section 1301 [26 U.S.C. §

3 1301].

4 (J) **Cost-of-living adjustment.**

5 (1) In general.

6 The cost-of-living adjustment for any calendar year is the percentage (if any) by which:

7 (a) The CPI for the preceding calendar year exceeds

8 (b) The CPI for the base year.

9 (2) CPI for any calendar year.

10 For purposes of paragraph (1), the CPI for any calendar year is the average of the consumer

11 price index as of the close of the twelve (12) month period ending on August 31 of such calendar

12 year.

13 (3) Consumer price index.

14 For purposes of paragraph (2), the term “consumer price index” means the last consumer

15 price index for all urban consumers published by the department of labor. For purposes of the

16 preceding sentence, the revision of the consumer price index that is most consistent with the

17 consumer price index for calendar year 1986 shall be used.

18 (4) Rounding.

19 (a) In general.

20 If any increase determined under paragraph (1) is not a multiple of \$50, such increase shall

21 be rounded to the next lowest multiple of \$50.

22 (b) In the case of a married individual filing a separate return, subparagraph (a) shall be

23 applied by substituting “\$25” for \$50 each place it appears.

24 (K) **Credits against tax.** For tax years beginning on or after January 1, 2001, a taxpayer

25 entitled to any of the following federal credits enacted prior to January 1, 1996, shall be entitled to

26 a credit against the Rhode Island tax imposed under this section:

27 (1) [Deleted by P.L. 2007, ch. 73, art. 7, § 5.]

28 (2) Child and dependent care credit;

29 (3) General business credits;

30 (4) Credit for elderly or the disabled;

31 (5) Credit for prior year minimum tax;

32 (6) Mortgage interest credit;

33 (7) Empowerment zone employment credit;

34 (8) Qualified electric vehicle credit.

1 (L) **Credit against tax for adoption.** For tax years beginning on or after January 1, 2006,
2 a taxpayer entitled to the federal adoption credit shall be entitled to a credit against the Rhode Island
3 tax imposed under this section if the adopted child was under the care, custody, or supervision of
4 the Rhode Island department of children, youth and families prior to the adoption.

5 (M) The credit shall be twenty-five percent (25%) of the aforementioned federal credits
6 provided there shall be no deduction based on any federal credits enacted after January 1, 1996,
7 including the rate reduction credit provided by the federal Economic Growth and Tax
8 Reconciliation Act of 2001 (EGTRRA). In no event shall the tax imposed under this section be
9 reduced to less than zero. A taxpayer required to recapture any of the above credits for federal tax
10 purposes shall determine the Rhode Island amount to be recaptured in the same manner as
11 prescribed in this subsection.

12 (N) **Rhode Island earned-income credit.**

13 (1) In general.

14 For tax years beginning before January 1, 2015, a taxpayer entitled to a federal earned-
15 income credit shall be allowed a Rhode Island earned-income credit equal to twenty-five percent
16 (25%) of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode
17 Island income tax.

18 For tax years beginning on or after January 1, 2015, and before January 1, 2016, a taxpayer
19 entitled to a federal earned-income credit shall be allowed a Rhode Island earned-income credit
20 equal to ten percent (10%) of the federal earned-income credit. Such credit shall not exceed the
21 amount of the Rhode Island income tax.

22 For tax years beginning on or after January 1, 2016, a taxpayer entitled to a federal earned-
23 income credit shall be allowed a Rhode Island earned-income credit equal to twelve and one-half
24 percent (12.5%) of the federal earned-income credit. Such credit shall not exceed the amount of the
25 Rhode Island income tax.

26 For tax years beginning on or after January 1, 2017, a taxpayer entitled to a federal earned-
27 income credit shall be allowed a Rhode Island earned-income credit equal to fifteen percent (15%)
28 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island
29 income tax.

30 For tax years beginning on or after January 1, 2024, a taxpayer entitled to a federal earned-
31 income credit shall be allowed a Rhode Island earned-income credit equal to sixteen percent (16%)
32 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island
33 income tax.

34 (2) Refundable portion.

1 In the event the Rhode Island earned-income credit allowed under paragraph (N)(1) of this
2 section exceeds the amount of Rhode Island income tax, a refundable earned-income credit shall
3 be allowed as follows.

4 (i) For tax years beginning before January 1, 2015, for purposes of paragraph (2) refundable
5 earned-income credit means fifteen percent (15%) of the amount by which the Rhode Island earned-
6 income credit exceeds the Rhode Island income tax.

7 (ii) For tax years beginning on or after January 1, 2015, for purposes of paragraph (2)
8 refundable earned-income credit means one hundred percent (100%) of the amount by which the
9 Rhode Island earned-income credit exceeds the Rhode Island income tax.

10 (O) The tax administrator shall recalculate and submit necessary revisions to paragraphs
11 (A) through (J) to the general assembly no later than February 1, 2010, and every three (3) years
12 thereafter for inclusion in the statute.

13 (3) For the period January 1, 2011, through December 31, 2011, and thereafter, “Rhode
14 Island taxable income” means federal adjusted gross income as determined under the Internal
15 Revenue Code, 26 U.S.C. § 1 et seq., and as modified for Rhode Island purposes pursuant to § 44-
16 30-12 less the amount of Rhode Island Basic Standard Deduction allowed pursuant to subparagraph
17 44-30-2.6(c)(3)(B), and less the amount of personal exemption allowed pursuant to subparagraph
18 44-30-2.6(c)(3)(C).

19 **(A) Tax imposed.**

20 (I) There is hereby imposed on the taxable income of married individuals filing joint
21 returns, qualifying widow(er), every head of household, unmarried individuals, married individuals
22 filing separate returns and bankruptcy estates, a tax determined in accordance with the following
23 table:

RI Taxable Income			RI Income Tax
Over	But not over	Pay + % on Excess	on the amount over
\$ 0 -	\$ 55,000	\$ 0 + 3.75%	\$ 0
55,000 -	125,000	2,063 + 4.75%	55,000
125,000 -		5,388 + 5.99%	125,000

29 (II) There is hereby imposed on the taxable income of an estate or trust a tax determined in
30 accordance with the following table:

RI Taxable Income			RI Income Tax
Over	But not over	Pay + % on Excess	on the amount over
\$ 0 -	\$ 2,230	\$ 0 + 3.75%	\$ 0
2,230 -	7,022	84 + 4.75%	2,230

1 that the Taxpayer Identification Number for each individual is not required to be included on the
2 federal tax return for the purposes of claiming a personal exemption(s), then the Taxpayer
3 Identification Number must be provided on the Rhode Island tax return for the purpose of claiming
4 said exemption(s).

5 (D) In the case of any taxpayer whose adjusted gross income, as modified for Rhode Island
6 purposes pursuant to § 44-30-12, for the taxable year exceeds one hundred seventy-five thousand
7 dollars (\$175,000), the exemption amount shall be reduced by the applicable percentage. The term
8 “applicable percentage” means twenty (20) percentage points for each five thousand dollars
9 (\$5,000) (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year
10 exceeds one hundred seventy-five thousand dollars (\$175,000).

11 (E) **Adjustment for inflation.** The dollar amount contained in subparagraphs 44-30-
12 2.6(c)(3)(A), 44-30-2.6(c)(3)(B) and 44-30-2.6(c)(3)(C) shall be increased annually by an amount
13 equal to:

14 (I) Such dollar amount contained in subparagraphs 44-30-2.6(c)(3)(A), 44-30-2.6(c)(3)(B)
15 and 44-30-2.6(c)(3)(C) adjusted for inflation using a base tax year of 2000, multiplied by;

16 (II) The cost-of-living adjustment with a base year of 2000.

17 (III) For the purposes of this section, the cost-of-living adjustment for any calendar year is
18 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds
19 the consumer price index for the base year. The consumer price index for any calendar year is the
20 average of the consumer price index as of the close of the twelve-month (12) period ending on
21 August 31, of such calendar year.

22 (IV) For the purpose of this section the term “consumer price index” means the last
23 consumer price index for all urban consumers published by the department of labor. For the purpose
24 of this section the revision of the consumer price index that is most consistent with the consumer
25 price index for calendar year 1986 shall be used.

26 (V) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),
27 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a
28 married individual filing separate return, if any increase determined under this section is not a
29 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple
30 of twenty-five dollars (\$25.00).

31 (F) **Credits against tax.**

32 (I) Notwithstanding any other provisions of Rhode Island Law, for tax years beginning on
33 or after January 1, 2011, the only credits allowed against a tax imposed under this chapter shall be
34 as follows:

1 (a) Rhode Island earned-income credit: Credit shall be allowed for earned-income credit
2 pursuant to subparagraph 44-30-2.6(c)(2)(N).

3 (b) Property Tax Relief Credit: Credit shall be allowed for property tax relief as provided
4 in § 44-33-1 et seq.

5 (c) Lead Paint Credit: Credit shall be allowed for residential lead abatement income tax
6 credit as provided in § 44-30.3-1 et seq.

7 (d) Credit for income taxes of other states. Credit shall be allowed for income tax paid to
8 other states pursuant to § 44-30-74.

9 (e) Historic Structures Tax Credit: Credit shall be allowed for historic structures tax credit
10 as provided in § 44-33.2-1 et seq.

11 (f) Motion Picture Productions Tax Credit: Credit shall be allowed for motion picture
12 production tax credit as provided in § 44-31.2-1 et seq.

13 (g) Child and Dependent Care: Credit shall be allowed for twenty-five percent (25%) of
14 the federal child and dependent care credit allowable for the taxable year for federal purposes;
15 provided, however, such credit shall not exceed the Rhode Island tax liability.

16 (h) Tax credits for contributions to Scholarship Organizations: Credit shall be allowed for
17 contributions to scholarship organizations as provided in chapter 62 of title 44.

18 (i) Credit for tax withheld. Wages upon which tax is required to be withheld shall be taxable
19 as if no withholding were required, but any amount of Rhode Island personal income tax actually
20 deducted and withheld in any calendar year shall be deemed to have been paid to the tax
21 administrator on behalf of the person from whom withheld, and the person shall be credited with
22 having paid that amount of tax for the taxable year beginning in that calendar year. For a taxable
23 year of less than twelve (12) months, the credit shall be made under regulations of the tax
24 administrator.

25 (j) Stay Invested in RI Wavemaker Fellowship: Credit shall be allowed for stay invested in
26 RI wavemaker fellowship program as provided in § 42-64.26-1 et seq.

27 (k) Rebuild Rhode Island: Credit shall be allowed for rebuild RI tax credit as provided in
28 § 42-64.20-1 et seq.

29 (l) Rhode Island Qualified Jobs Incentive Program: Credit shall be allowed for Rhode
30 Island new qualified jobs incentive program credit as provided in § 44-48.3-1 et seq.

31 (m) Historic homeownership assistance act: Effective for tax year 2017 and thereafter,
32 unused carryforward for such credit previously issued shall be allowed for the historic
33 homeownership assistance act as provided in § 44-33.1-4. This allowance is for credits already
34 issued pursuant to § 44-33.1-4 and shall not be construed to authorize the issuance of new credits

1 under the historic homeownership assistance act.

2 [\(n\) Rhode Island family caregiver tax credit shall be allowed for family caregivers as](#)
3 [provided in chapter 30.4 of title 44.](#)

4 (2) Except as provided in section 1 above, no other state and federal tax credit shall be
5 available to the taxpayers in computing tax liability under this chapter.

6 SECTION 4. 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 -- THE RHODE ISLAND FAMILY CAREGIVER TAX CREDIT
ACT

- 1
- This act would establish a tax credit against income tax based upon eligible expenditures
- 2
- incurred by a family caregiver for the care and support of an eligible family member. The maximum
- 3
- amount of the credit would be one thousand dollars (\$1,000) and would apply to all tax years
- 4
- beginning after December 31, 2026.
- 5
- This act would take effect upon passage.

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