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1	* * * Child Tax Credit * * *	
2	Sec. 1. 32 V.S.A. § 5830f(a) is amended to read:	
3	(a) A resident individual or part-year resident individual who is entitled	to a
4	child tax credit under the laws of the United States or who would have beer	;
5	entitled to a child tax credit under the laws of the United States but for the f	<u>act</u>
6	that the individual or the individual's spouse does not have a taxpayer	
7	identification number shall be entitled to a refundable credit against the tax	
8	imposed by section 5822 of this title for the taxable year. The total credit p	er
9	taxable year shall be in the amount of \$1,000.00 per qualifying child, as	
10	defined under 26 U.S.C. § 152(c) but notwithstanding the taxpayer	
11	identification number requirements under 26 U.S.C. § 24(e) and (h)(7), who) is
12	five years of age or younger as of the close of the calendar year in which th	9
13	taxable year of the taxpayer begins. For a part-year resident individual, the	
14	amount of the credit shall be multiplied by the percentage that the individua	l's
15	income that is earned or received during the period of the individual's	
16	residency in this State bears to the individual's total income.	
17	Sec. 2. 32 V.S.A. § 5830f(d) is added to read:	
18	(d)(1) The Commissioner shall establish a program to make advance	
19	quarterly payments of the credit under this section during the calendar year	
20	that, in the aggregate, equal 50 percent of the annual amount of the credit	
21	allowed to each individual for the taxable year. The quarterly payments ma	<u>de</u>
22	to an individual during the calendar year shall be in equal amounts, except t	<u>hat</u>

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1	the Commissioner may modify the quarterly amount upon receipt of any
2	information furnished by the individual that allows the Commissioner to
3	determine the annual amount. The remaining 50 percent of the annual amount
4	of the credit allowed to each individual shall be determined at the time of filing
5	a Vermont personal income tax return for the taxable year pursuant to section
6	5861 of this title.
7	(2) The Commissioner shall provide a process by which individuals may
8	elect not to receive advance payments under this subsection.
9	* * * Earned Income Tax Credit * * *
10	Sec. 3. 32 V.S.A. § 5828b is amended to read:
11	§ 5828b. EARNED INCOME TAX CREDIT
12	(a) A resident individual or part-year resident individual who is entitled to
13	an earned income tax credit granted under the laws of the United States shall
14	be entitled to a credit against the tax imposed for each year by section 5822 of
15	this title. The credit shall be 38 percent a percentage, as determined under
16	subdivisions (1) and (2) of this subsection, of the earned income tax credit
17	granted to the individual under the laws of the United States, multiplied by the
18	percentage that the individual's earned income that is earned or received
19	during the period of the individual's residency in this State bears to the
20	individual's total earned income. The percentage of the earned income tax
21	credit granted to the individual under the laws of the United States shall be
22	based on the individual's filing status as follows:

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1	(1) for an individual whose filing status is married filing jointly or
2	married filing separately, XX percent; and
3	(2) for an individual whose filing status is single, head of household, or
4	surviving spouse, XX percent.
5	* * *
6	* * * Effective Dates * * *
7	Sec. 4. EFFECTIVE DATES
8	(a) Notwithstanding 1 V.S.A. § 214, Secs. 1 (child tax credit; taxpayer
9	identification numbers) and 3 (earned income tax credit) shall take effect
10	retroactively on January 1, 2023 and shall apply to taxable years beginning on
11	and after January 1, 2023.
12	(b) Sec. 2 (child tax credit; advance payments) shall take effect on the later
13	of July 1, 2023 or the first day of the second quarter of the State fiscal year
14	after the requirement to include recurring or nonrecurring State payments of
15	income tax refunds, rebates, or credits in income-based eligibility
16	determinations for any federal public assistance program, including the
17	Supplemental Nutrition Assistance Program; the Special Supplemental
18	Nutrition Program for Women, Infants, and Children; federal child care
19	assistance; and Supplemental Security Income, is abrogated by one or more of
20	the following federal actions:
21	(1) enactment of federal legislation;

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- (2) a decision by a controlling court from which there is no further right
 of appeal; or
 (3) publication of federal regulations, guidelines, memorandum, or any
- 4 <u>other official action taken by the relevant federal agency with the authority to</u>
- 5 <u>alter income-based eligibility determinations for federal public assistance</u>
- 6 programs.