

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 223

SENATE BILL 1300

AN ACT

AMENDING SECTIONS 42-1001 AND 43-105, ARIZONA REVISED STATUTES; RELATING TO
TAXATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-1001, Arizona Revised Statutes, is amended to
3 read:

4 42-1001. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Board" or "state board" means either the state board of tax
7 appeals or the state board of equalization, as applicable.

8 2. "Court" means the tax court or superior court, whichever is
9 applicable.

10 3. "Department" means the department of revenue.

11 4. "Director" means the director of the department.

12 5. "Internal revenue code" means the United States internal revenue
13 code of 1986, as amended and in effect as of January 3, ~~2013~~ 1, 2014,
14 including those provisions that became effective during ~~2012~~ 2013 with the
15 specific adoption of their retroactive effective dates but excluding all
16 changes to the code enacted after January 3, ~~2013~~ 1, 2014.

17 Sec. 2. Section 43-105, Arizona Revised Statutes, is amended to read:

18 43-105. Internal revenue code; definition; application

19 A. FOR THE PURPOSES OF COMPUTING INCOME TAX PURSUANT TO THIS TITLE,
20 FOR TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2013, "INTERNAL
21 REVENUE CODE" MEANS THE UNITED STATES INTERNAL REVENUE CODE OF 1986, AS
22 AMENDED, IN EFFECT ON JANUARY 1, 2014, INCLUDING THOSE PROVISIONS THAT BECAME
23 EFFECTIVE DURING 2013 WITH THE SPECIFIC ADOPTION OF ALL FEDERAL RETROACTIVE
24 EFFECTIVE DATES, BUT EXCLUDING ANY CHANGE TO THE CODE ENACTED AFTER
25 JANUARY 1, 2014.

26 ~~A.~~ B. For the purposes of computing income tax pursuant to this
27 title, for taxable years beginning from and after December 31, 2012 THROUGH
28 DECEMBER 31, 2013, "internal revenue code" means the United States internal
29 revenue code of 1986, as amended, in effect on January 3, 2013, including
30 those provisions that became effective during 2012 with the specific adoption
31 of all federal retroactive effective dates, but excluding any change to the
32 code enacted after January 3, 2013.

33 ~~B.~~ C. For the purposes of computing income tax pursuant to this
34 title, for taxable years beginning from and after December 31, 2011 through
35 December 31, 2012, "internal revenue code" means the United States internal
36 revenue code of 1986, as amended, in effect on January 1, 2012, including
37 those provisions that became effective during 2011 with the specific adoption
38 of all federal retroactive effective dates, and including those provisions of
39 the FAA modernization and reform act OF 2012 (P.L. 112-95), the moving ahead
40 for progress in the 21st century act (P.L. 112-141) and the American taxpayer
41 relief act of 2012 (P.L. 112-240) that are retroactively effective during
42 taxable years beginning from and after December 31, 2011 through December 31,
43 2012.

44 ~~C.~~ D. For the purposes of computing income tax pursuant to this
45 title, for taxable years beginning from and after December 31, 2010 through

1 December 31, 2011, "internal revenue code" means the United States internal
2 revenue code of 1986, as amended, in effect on January 1, 2011, including
3 those provisions that became effective during 2010 with the specific adoption
4 of all federal retroactive effective dates, and including those provisions of
5 Public Law 112-40, the moving ahead for progress in the 21st century act
6 (P.L. 112-141) and the American taxpayer relief act of 2012 (P.L. 112-240)
7 that are retroactively effective during taxable years beginning from and
8 after December 31, 2010 through December 31, 2011.

9 ~~D.~~ E. For the purposes of computing income tax pursuant to this
10 title, for taxable years beginning from and after December 31, 2009 through
11 December 31, 2010, "internal revenue code" means the United States internal
12 revenue code of 1986, as amended, in effect on January 1, 2010, including
13 those provisions that became effective during 2009 with the specific adoption
14 of all federal retroactive effective dates, and including those provisions of
15 the temporary extension act of 2010 (P.L. 111-144), the hiring incentives to
16 restore employment act (P.L. 111-147), the patient protection and affordable
17 care act (P.L. 111-148), the health care and education reconciliation act of
18 2010 (P.L. 111-152), the preservation of access to care for medicare
19 beneficiaries and pension relief act of 2010 (P.L. 111-192), the Dodd-Frank
20 Wall Street reform and consumer protection act (P.L. 111-203), the small
21 business jobs act of 2010 (P.L. 111-240), the claims resolution act of 2010
22 (P.L. 111-291), the tax relief, unemployment insurance reauthorization, and
23 job creation act of 2010 (P.L. 111-312) and the regulated investment company
24 modernization act of 2010 (P.L. 111-325) that are retroactively effective
25 during taxable years beginning from and after December 31, 2009 through
26 December 31, 2010.

27 ~~E.~~ F. For purposes of computing income tax pursuant to this title,
28 for taxable years beginning from and after December 31, 2008 through December
29 31, 2009, "internal revenue code" means the United States internal revenue
30 code of 1986, as amended, in effect on January 1, 2009, including those
31 provisions that became effective during 2008 with the specific adoption of
32 all federal retroactive effective dates, and including those provisions of
33 the American recovery and reinvestment act of 2009 (P.L. 111-5) except
34 section 1211, the consumer assistance to recycle and save act of 2009
35 (P.L. 111-32), the worker, homeownership, and business assistance act of 2009
36 (P.L. 111-92) except section 13, the hiring incentives to restore employment
37 act (P.L. 111-147), the patient protection and affordable care act (P.L.
38 111-148), the preservation of access to care for medicare beneficiaries and
39 pension relief act of 2010 (P.L. 111-192), the small business jobs act of
40 2010 (P.L. 111-240) and the tax relief, unemployment insurance
41 reauthorization, and job creation act of 2010 (P.L. 111-312), that are
42 retroactively effective during taxable years beginning from and after
43 December 31, 2008 through December 31, 2009.

44 ~~F.~~ G. For purposes of computing income tax pursuant to this title,
45 for taxable years beginning from and after December 31, 2007 through December

1 31, 2008, "internal revenue code" means the United States internal revenue
2 code of 1986, as amended, in effect on January 1, 2008, including those
3 provisions that became effective during 2007 with the specific adoption of
4 all federal retroactive effective dates and including those provisions of the
5 economic stimulus act of 2008 (P.L. 110-185), the heroes earnings assistance
6 and relief tax act of 2008 (P.L. 110-245), the heartland, habitat, harvest
7 and horticulture act of 2008 (P.L. 110-246), the housing assistance tax act
8 of 2008 (P.L. 110-289), the emergency economic stabilization act of 2008
9 (P.L. 110-343), the worker, retiree, and employer recovery act of 2008
10 (P.L. 110-458), the American recovery and reinvestment act of 2009
11 (P.L. 111-5) except section 1211 and the worker, homeownership, and business
12 assistance act of 2009 (P.L. 111-92) except section 13 that are retroactively
13 effective during taxable years beginning from and after December 31, 2007
14 through December 31, 2008.

15 ~~G.~~ H. For purposes of computing income tax pursuant to this title,
16 for taxable years beginning from and after December 31, 2006 through December
17 31, 2007, "internal revenue code" means the United States internal revenue
18 code of 1986, as amended, in effect on January 1, 2007, including those
19 provisions that became effective during 2006 with the specific adoption of
20 all federal retroactive effective dates and including those provisions of the
21 small business and work opportunity tax act of 2007 (P.L. 110-28), the energy
22 independence and security act of 2007 (P.L. 110-140), Public Law 110-141, the
23 mortgage forgiveness debt relief act of 2007 (P.L. 110-142), the tax
24 technical corrections act of 2007 (P.L. 110-172), the economic stimulus act
25 of 2008 (P.L. 110-185), the heroes earnings assistance and relief tax act of
26 2008 (P.L. 110-245), the heartland, habitat, harvest and horticulture act of
27 2008 (P.L. 110-246), the housing assistance tax act of 2008 (P.L. 110-289),
28 the emergency economic stabilization act of 2008 (P.L. 110-343) and the
29 worker, retiree, and employer recovery act of 2008 (P.L. 110-458) that are
30 retroactively effective during taxable years beginning from and after
31 December 31, 2006 through December 31, 2007.

32 ~~H.~~ I. For purposes of computing income tax pursuant to this title,
33 for taxable years beginning from and after December 31, 2005 through December
34 31, 2006, "internal revenue code" means the United States internal revenue
35 code of 1986, as amended, in effect on January 1, 2006, including those
36 provisions that became effective during 2005 with the specific adoption of
37 all federal retroactive effective dates and including those provisions of the
38 tax increase prevention and reconciliation act of 2005 (P.L. 109-222), the
39 pension protection act of 2006 (P.L. 109-280), the tax relief and health care
40 act of 2006 (P.L. 109-432), the small business and work opportunity tax act
41 of 2007 (P.L. 110-28), the mortgage forgiveness debt relief act of 2007
42 (P.L. 110-142), the tax technical corrections act of 2007 (P.L. 110-172), the
43 heartland, habitat, harvest and horticulture act of 2008 (P.L. 110-246) and
44 the housing assistance tax act of 2008 (P.L. 110-289) that are retroactively

1 effective during taxable years beginning from and after December 31, 2005
2 through December 31, 2006.

3 ~~I.~~ J. For purposes of computing income tax pursuant to this title,
4 for taxable years beginning from and after December 31, 2004 through December
5 31, 2005, "internal revenue code" means the United States internal revenue
6 code of 1986, as amended, in effect on January 1, 2005, including those
7 provisions that became effective during 2004 with the specific adoption of
8 all federal retroactive effective dates and including those provisions of the
9 Katrina emergency tax relief act of 2005 (P.L. 109-73), the energy tax
10 incentives act of 2005 (title XIII of the energy policy act of 2005
11 (P.L. 109-58)), the gulf opportunity zone act of 2005 (P.L. 109-135), the tax
12 technical corrections act of 2007 (P.L. 110-172), the heartland, habitat,
13 harvest and horticulture act of 2008 (P.L. 110-246) and the housing
14 assistance tax act of 2008 (P.L. 110-289) that are retroactively effective
15 during taxable years beginning from and after December 31, 2004 through
16 December 31, 2005.

17 ~~J.~~ K. For purposes of computing income tax pursuant to this title, for
18 taxable years beginning from and after December 31, 2003 through December 31,
19 2004, "internal revenue code" means the United States internal revenue code
20 of 1986, as amended, in effect on January 1, 2004, including those provisions
21 that became effective during 2003 with the specific adoption of all federal
22 retroactive effective dates and including those provisions of the working
23 families tax relief act of 2004 (P.L. 108-311), the American jobs creation
24 act of 2004 (P.L. 108-357), the Katrina emergency tax relief act of 2005
25 (P.L. 109-73), the energy tax incentives act of 2005 (title XIII of the
26 energy policy act of 2005 (P.L. 109-58)), the gulf opportunity zone act of
27 2005 (P.L. 109-135), the tax technical corrections act of 2007 (P.L. 110-172)
28 and the heartland, habitat, harvest and horticulture act of 2008
29 (P.L. 110-246) that are retroactively effective during taxable years
30 beginning from and after December 31, 2003 through December 31, 2004.

31 ~~K.~~ For purposes of computing income tax pursuant to this title, for
32 taxable years beginning from and after December 31, 2002 through December 31,
33 2003, "internal revenue code" means the United States internal revenue code
34 of 1986, as amended, in effect on January 1, 2003, including those provisions
35 that became effective during 2002 with the specific adoption of all federal
36 retroactive effective dates and including those provisions of the working
37 families tax relief act of 2004 (P.L. 108-311), the American jobs creation
38 act of 2004 (P.L. 108-357), the jobs and growth tax relief reconciliation act
39 of 2003 (P.L. 108-27), the military family tax relief act of 2003
40 (P.L. 108-121), the medicare prescription drug, improvement, and
41 modernization act of 2003 (P.L. 108-173), the tax technical corrections act
42 of 2007 (P.L. 110-172) and the heartland, habitat, harvest and horticulture
43 act of 2008 (P.L. 110-246) that are retroactively effective during taxable
44 years beginning from and after December 31, 2002 through December 31, 2003.

APPROVED BY THE GOVERNOR APRIL 24, 2014.

Passed the House April 22, 20 14,

Passed the Senate February 13, 20 14,

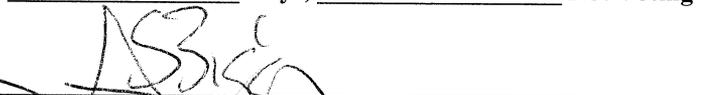
by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting

0 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

23rd day of April, 2014,

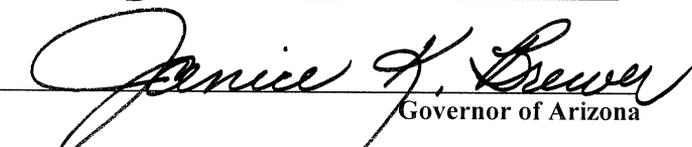
at 12:45 o'clock P M.


Secretary to the Governor

Approved this 24th day of

April, 20 14,

at 3:02 o'clock P M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24th day of April, 20 14,

at 5:31 o'clock P M.


Secretary of State

S.B. 1300