

ASSEMBLY, No. 4971

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 12, 2017

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Assemblyman Peterson

SYNOPSIS

Provides gross income tax credit for certain homeschooling expenses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2017)

1 AN ACT providing a gross income tax credit for certain expenses
2 incurred in homeschooling a child, supplementing chapter 4 of
3 Title 54A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. A taxpayer, whose gross income for the taxable year
9 does not exceed \$150,000, shall be allowed a credit against the tax
10 due pursuant to the “New Jersey Gross Income Tax Act,”
11 N.J.S.54A:1-1 et seq., in an amount equal to the value of qualified
12 homeschool expenses incurred by the taxpayer in the taxable year,
13 up to \$1,000 per child or dependent; provided, however, that the
14 credit allowed by this section shall not exceed \$3,000 per taxpayer
15 in a taxable year.

16 b. As used in this section:

17 “Qualified homeschool expenses” means expenses for
18 educational textbooks, workbooks, and teachers’ edition books;
19 computer software whose primary purpose is for teaching or self-
20 learning; rental fees for educational curriculum; and membership
21 fees for libraries and academic institutions and organizations.
22 Qualified homeschool expenses shall not include materials used to
23 set up a home school, including but not limited to computers, desks,
24 boards; consumable school supplies, including but not limited to
25 pencils, pens, paper; and internet provider fees.

26 c. In the case of married couples who file separately, each
27 person shall be permitted to claim one-half of the credit allowed
28 pursuant to subsection a. of this section for qualified homeschool
29 expenses jointly incurred in a taxable year.

30 d. The order of priority of the application of the credit allowed
31 pursuant to this section and any other credits allowed against the
32 New Jersey gross income tax due pursuant to N.J.S.54A:1-1 et seq.
33 for a taxable year shall be as prescribed by the director.

34 e. The amount of the credit applied against the New Jersey
35 gross income tax due pursuant to N.J.S.54A:1-1 et seq. shall not
36 reduce the liability of a taxpayer under the New Jersey gross
37 income tax to an amount less than zero.

38
39 2. This act shall take effect immediately and shall apply to
40 taxable years beginning on or after the January 1 next following the
41 date of enactment.

42
43

44 STATEMENT

45
46 This bill provides a non-refundable gross income tax credit for
47 certain expenses associated with homeschooling a child or
48 dependent.

1 Under the bill, a taxpayer may claim a gross income tax credit in
2 an amount equal to the qualified homeschool expenses incurred by
3 the taxpayer in a taxable year—for up to \$1,000 per child or
4 dependent; however, the taxpayer may not claim more than \$3,000
5 in a taxable year (*i.e.*, three children or dependents). A taxpayer’s
6 gross income cannot exceed \$150,000 in a taxable year in order to
7 receive the credit. For taxpayers who are married but file
8 separately, each person may claim one-half of the credit otherwise
9 allowable. The term “qualified homeschool expenses” is defined to
10 encompass educational textbooks, workbooks, and teachers’ edition
11 books; computer software whose primary purpose is for teaching or
12 self-learning; curriculum rental fees for educational material; and
13 membership fees for libraries and academic institutions and
14 organizations. Qualified homeschool expenses expressly excludes
15 the following: materials used to set up a home school (*e.g.*,
16 computers, desks, boards); consumable school supplies (*e.g.*,
17 pencils, pens, paper); and internet service provider fees.

18 Parents and guardians who homeschool their children go to great
19 lengths—and incur great costs—in order to provide a quality
20 education to those in their care. The State, moreover, has an
21 interest in supporting the development and access to educational
22 opportunities for all children residing in the State, irrespective of
23 the method by which they are educated. This bill seeks to balance
24 such interests by providing a gross income tax credit to cover the
25 costs of many expensive yet fundamental educational resources,
26 such as textbooks and educational software incurred by parents and
27 guardians homeschooling their children and dependents.