

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 58.1-339.11 of the Code of Virginia, relating to long-term care*
3 *insurance tax credit; increase credit amount.*

4 [H 1840]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 58.1-339.11 of the Code of Virginia is amended and reenacted as follows:**

8 § 58.1-339.11. Long-term care insurance tax credit.

9 A. For taxable years beginning on or after January 1, 2006, any individual shall be entitled to a
10 credit against the tax levied pursuant to § 58.1-320 for certain long-term care insurance premiums paid
11 by the individual during the taxable year pursuant to an insurance policy entered into on or after January
12 1, 2006. The amount of the credit for each taxable year (i) *beginning January 1, 2006, through*
13 *December 31, 2011, shall equal 15 percent and (ii) beginning on and after January 1, 2012, shall*
14 *equal 30 percent* of the amount paid by the individual during the taxable year in long-term care
15 insurance premiums for long-term care insurance coverage for himself, but in no event shall the total
16 credits over the life of any policy exceed ~~15%~~ 30 percent of the amount of premiums paid for the first
17 12 months of coverage. For purposes of this section, "long-term care insurance premium" means the
18 amount paid during a taxable year for any qualified long-term care insurance contract as defined in
19 § 7702B(b) of the Internal Revenue Code, as amended, covering an individual.

20 B. If the amount of the credit as determined in subsection A exceeds the individual's income tax
21 liability for the taxable year, the amount that exceeds such liability may be carried over for credit
22 against the income taxes of such individual in the next five taxable years or until the full credit is used,
23 whichever occurs first.

24 C. The credit described in this section shall not be claimed to the extent the individual has claimed a
25 deduction for federal income tax purposes for long-term care insurance premiums for himself or a
26 deduction under subdivision D 10 of § 58.1-322.

27 D. The Tax Commissioner shall establish guidelines regarding the information to include and the
28 format for proof of payment. Such guidelines shall be exempt from the Administrative Process Act
29 (§ 2.2-4000 et seq.).

30 **2. That the provisions of this act shall not become effective unless reenacted by the 2012 Session of**
31 **the General Assembly.**

ENROLLED

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