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**HOUSE BILL NO. 1006**

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13, relating to tax credits for certain expenses of home school instruction.*

Patron—Ramadan

Referred to Committee on Finance

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13 as follows:**

*§ 58.1-339.13. Home school instruction tax credit.*

*A. For taxable years beginning on or after January 1, 2012, the parent or legal guardian of a child receiving home instruction authorized under § 22.1-254.1 shall be allowed a credit against the tax levied pursuant to § 58.1-320 for amounts paid by the parent or legal guardian for his child for home instruction-related materials, including textbooks, workbooks, and supplies used solely in the home instruction, and correspondence courses or distance learning programs used in the home instruction. The credit shall equal the lesser of the amount actually paid in the taxable year for such costs or \$1,000.*

*B. In order to claim the tax credit, the parent or legal guardian, when claiming the credit, shall provide with his income tax return the name of his child receiving home instruction for the year and the school division to which notice was provided pursuant to subsection B of § 22.1-254.1.*

*C. The amount of the credit shall not exceed the total amount of tax imposed by this chapter upon the parent or legal guardian for the taxable year. Any credit not usable for the taxable year for which the credit was allowed may be carried over for credit against the income taxes of the parent or guardian in the next four succeeding taxable years or until the total amount of the tax credit has been taken, whichever is sooner.*

*D. The Tax Commissioner shall develop guidelines implementing the provisions of this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).*

INTRODUCED

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