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HOUSE BILL NO. 1672

Offered January 9, 2019

Prefiled December 3, 2018

A *BILL to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:13, relating to income tax credit for paid leave for organ donors.*

Patrons—Mullin and Kory

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 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:13 as follows:

§ 58.1-439.12:13. Paid leave for organ donors tax credit.

A. As used in this section:

"Employee" means the same as that term is defined in § 58.1-460.

"Employer" means the same as that term is defined in § 58.1-460.

"Leave period" means a period, not exceeding 10 working days or the hourly equivalent of 10 working days per employee, during which an employer provides paid leave to an employee for the purpose of the employee's making an organ donation. "Leave period" does not include the use of annual leave or sick days to which the employee is otherwise entitled.

"Wages" means the same as that term is defined in § 58.1-460.

B. Except as provided in subsection C, for taxable years beginning on and after January 1, 2019, but before January 1, 2024, an employer shall be allowed a credit against the tax levied pursuant to § 58.1-320 or 58.1-400 in an amount equal to 35 percent of the total of:

1. An employee's wages during his leave period; and

2. A temporary replacement worker's wages during the leave period of the employee referred to in subdivision B 1.

C. An employer shall not claim a tax credit pursuant to this section for expenses related to a leave period of an employee to whom the employer paid wages of \$80,000 or more during the taxable year.

D. The amount of the credit claimed shall not exceed the total amount of tax imposed pursuant to § 58.1-320 or 58.1-400 upon the employer for the taxable year. Any credit not usable for the taxable year for which the credit was first allowed may be carried over for credit against the income taxes of the employer in the next five succeeding taxable years or until the total amount of the tax credit has been taken, whichever is sooner.

INTRODUCED

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