

2008 Bill 17

First Session, 27th Legislature, 57 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 17

**ALBERTA PERSONAL INCOME TAX
AMENDMENT ACT, 2008**

THE MINISTER OF FINANCE AND ENTERPRISE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 17

2008

ALBERTA PERSONAL INCOME TAX AMENDMENT ACT, 2008

(Assented to _____, 2008)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Amends RSA 2000 cA-30

1 The *Alberta Personal Income Tax Act* is amended by this Act.

2 Section 8(1) is amended

(a) in clause (d)

(i) by striking out “\$15 453” and substituting “\$24 229”;

(ii) by striking out “\$11 953” and substituting “\$14 874”;

(b) in clause (e)

(i) by striking out “\$8466” and substituting “\$15 535”;

(ii) by striking out “\$4966” and substituting “\$6180”.

Explanatory Notes

1 Amends chapter A-30 of the Revised Statutes of Alberta 2000.

2 Section 8(1) presently reads in part:

8(1) For the purpose of computing the tax payable under this Act for a taxation year by an individual, there may be deducted the amount determined by the formula

A x B

where

A is the specified percentage for the year;

B is the total of

In-home care of relative credit

(d) in the case of an individual who, at any time in the year alone or jointly with one or more persons, maintains a self-contained domestic establishment that is the ordinary place of residence of the individual and of a particular person

(i) who has attained the age of 18 years before that time,

(ii) who

(A) is the individual's child or grandchild, or

(B) is resident in Canada and is the parent, grandparent, brother, sister, aunt, uncle, nephew or niece of the individual or of the individual's spouse or common-law partner, and

(iii) who

(A) in the case of the individual's parent or grandparent, has attained the age of 65 years before that time, or

(B) in the case of any of the relatives referred to in subclause (ii), is dependent on the individual because of that particular person's mental or physical infirmity,

the amount determined by the formula

$\$15\,453 - D.1$

where

D.1 is the greater of \$11 953 and the particular person's income for the year,

Dependant credit

(e) for each dependant of the individual for the year who

(i) attained the age of 18 years before the end of the year, and

(ii) was dependent on the individual because of mental or physical infirmity,

the amount determined by the formula

$\$8466 - E$

where

E is the greater of \$4966 and the income for the year of the dependant, and

3 Section 13(2) is amended

- (a) by striking out “\$6000” and substituting “\$12 466”;**
- (b) by striking out “\$3500” and substituting “\$9355”.**

3 Section 13(2) presently reads:

(2) Where an individual is entitled to deduct an amount under subsection 118.3(1) of the federal Act for the purpose of computing the individual's tax payable for a taxation year under Part I of the federal Act, for the purpose of computing the tax payable under this Act for a taxation year by the individual, or that would be so payable if the individual were liable under section 3 to pay tax for the year, there may be deducted an amount determined by the formula

$$A \times (\$6000 + B)$$

where

A is the specified percentage for the year;

B is

(a) where the individual has not attained the age of 18 years before the end of the year, the amount, if any, by which

(i) \$3500

exceeds

(ii) the amount, if any, by which

(A) the total of all amounts each of which is an amount paid in the year for the care or supervision of the individual and included in computing a deduction under section 63 or 64 of the federal Act or section 12 of this Act for a taxation year

exceeds

(B) \$2050, and

(b) in any other case, \$0.

4 Section 30(2) is amended

- (a) by striking out “\$550” wherever it occurs and substituting “\$669”;**
- (b) by striking out “\$500” and substituting “\$608”;**
- (c) by striking out “\$300” and substituting “\$365”;**
- (d) by striking out “\$100” and substituting “\$122”;**
- (e) by striking out “\$1450” and substituting “\$1764”;**
- (f) by striking out “\$25 000” and substituting “\$32 633”.**

4 Section 30(2) presently reads:

(2) Subject to subsection (3), the amount that an individual is deemed to have overpaid in a month is determined by the formula:

$$\frac{1}{12} (A - B)$$

where

A is the least of the following:

- (a) whichever of the following applies, depending on the number of qualified dependants:*
 - (i) if the person was an eligible individual at the beginning of the month in respect of only one qualified dependant, \$550;*
 - (ii) if the person was an eligible individual at the beginning of the month in respect of more than one qualified dependant, the total of*
 - (A) \$550 for the first qualified dependant,*
 - (B) \$500 for the 2nd qualified dependant,*
 - (C) \$300 for the 3rd qualified dependant, and*
 - (D) \$100 for each of the 4th and subsequent qualified dependants;*
- (b) 8% of the amount, if any, by which the individual's adjusted earned income for the base taxation year in relation to the month exceeds \$2760;*
- (c) \$1450;*

B is 4% of the amount, if any, by which the individual's adjusted income for the base taxation year in relation to the month exceeds \$25 000.

5 Section 44(1.2) is repealed and the following is substituted:

(1.2) Notwithstanding subsection (1), this section does not apply for the purpose of adjusting, for the 2008 taxation year, the amounts in sections 8(1)(d) and (e) and 13(2) as amended by sections 2 and 3 of the *Alberta Personal Income Tax Amendment Act, 2008*.

(1.3) Notwithstanding subsection (1.1), this section does not apply for the purpose of adjusting, for the months of July to December in the 2008 taxation year, the amounts in section 30(2) as amended by section 4 of the *Alberta Personal Income Tax Amendment Act, 2008*.

6(1) Sections 2 and 3 are deemed to have come into force on January 1, 2008.

(2) Section 4 comes into force on July 1, 2008.

5 Section 44(1.2) presently reads:

(1.2) Notwithstanding subsection (1), this section does not apply for the purpose of adjusting the amounts referred to in section 8(1)(a), (b) and (c) for the 2006 taxation year.

6 Coming into force.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To
Stage	Date	Member	From	To
		Questions and Comments	From	To