

REFERENCE TITLE: **internal revenue code; conformity.**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2379

Introduced by
Representatives Carter: Cook, Hendrix

AN ACT

AMENDING SECTIONS 42-1001 AND 43-105, ARIZONA REVISED STATUTES; RELATING TO TAXATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-1001, Arizona Revised Statutes, is amended to
3 read:

4 42-1001. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Board" or "state board" means either the state board of tax
7 appeals or the state board of equalization, as applicable.

8 2. "Court" means the tax court or superior court, whichever is
9 applicable.

10 3. "Department" means the department of revenue.

11 4. "Director" means the director of the department.

12 5. "Electronically send" or "send electronically" means to send by
13 either email or the use of an electronic portal.

14 6. "Electronic portal" means a secure location on a website
15 established by the department that requires the receiver to enter a
16 password to access.

17 7. "Email" means:

18 (a) An electronic transmission of a message to an email address.

19 (b) If the message contains confidential information, the
20 electronic transmission of a message to an email address using encryption
21 software that requires the receiver to enter a password before the message
22 can be retrieved and viewed.

23 8. "Internal revenue code" means the United States internal revenue
24 code of 1986, as amended and in effect as of January 1, ~~2023~~ 2024,
25 including those provisions that became effective during ~~2022~~ 2023 with the
26 specific adoption of their retroactive effective dates but excluding all
27 changes to the code enacted after January 1, ~~2023~~ 2024.

28 Sec. 2. Section 43-105, Arizona Revised Statutes, is amended to
29 read:

30 43-105. Internal revenue code; definition; application

31 A. FOR THE PURPOSES OF COMPUTING INCOME TAX PURSUANT TO THIS TITLE,
32 FOR TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2023, "INTERNAL
33 REVENUE CODE" MEANS THE UNITED STATES INTERNAL REVENUE CODE OF 1986, AS
34 AMENDED, IN EFFECT ON JANUARY 1, 2024, INCLUDING THOSE PROVISIONS THAT
35 BECAME EFFECTIVE DURING 2023 WITH THE SPECIFIC ADOPTION OF ALL RETROACTIVE
36 EFFECTIVE DATES, BUT EXCLUDING ANY CHANGES TO THE CODE ENACTED AFTER
37 JANUARY 1, 2024.

38 ~~A.~~ B. For the purposes of computing income tax pursuant to this
39 title, for taxable years beginning from and after December 31,
40 2022 THROUGH DECEMBER 31, 2023, "internal revenue code" means the United
41 States internal revenue code of 1986, as amended, in effect on January 1,
42 2023, including those provisions that became effective during 2022 with
43 the specific adoption of all retroactive effective dates, ~~but excluding~~
44 ~~any changes to the code enacted after January 1, 2023~~ AND INCLUDING THOSE
45 PROVISIONS THAT ARE RETROACTIVELY EFFECTIVE DURING TAXABLE YEARS BEGINNING
46 FROM AND AFTER DECEMBER 31, 2022 THROUGH DECEMBER 31, 2023.

1 ~~B.~~ C. For the purposes of computing income tax pursuant to this
2 title, for taxable years beginning from and after December 31, 2021
3 through December 31, 2022, "internal revenue code" means the United States
4 internal revenue code of 1986, as amended, in effect on January 1, 2022,
5 including those provisions that became effective during 2021 with the
6 specific adoption of all retroactive effective dates, and including those
7 provisions of the chips and science act of 2022 (P.L. 117-167), THE
8 inflation reduction act of 2022 (P.L. 117-169) and the consolidated
9 appropriations act, 2023 (P.L. 117-328) that are retroactively effective
10 during taxable years beginning from and after December 31, 2021 through
11 December 31, 2022.

12 ~~C.~~ D. For the purposes of computing income tax pursuant to this
13 title, for taxable years beginning from and after December 31, 2020
14 through December 31, 2021, "internal revenue code" means the United States
15 internal revenue code of 1986, as amended, in effect on March 11, 2021,
16 including those provisions that became effective during 2020 with the
17 specific adoption of all retroactive effective dates and including those
18 provisions of the PPP extension act of 2021 (P.L. 117-6) and the
19 infrastructure investment and jobs act (P.L. 117-58) that are
20 retroactively effective during taxable years beginning from and after
21 December 31, 2020 through December 31, 2021.

22 ~~D.~~ E. For the purposes of computing income tax pursuant to this
23 title, for taxable years beginning from and after December 31, 2019
24 through December 31, 2020, "internal revenue code" means the United States
25 internal revenue code of 1986, as amended, in effect on January 1, 2020,
26 including those provisions that became effective during 2019 with the
27 specific adoption of all retroactive effective dates, and including those
28 provisions of the families first coronavirus response act (P.L. 116-127),
29 the coronavirus aid, relief, and economic security act (P.L. 116-136), the
30 paycheck protection program flexibility act of 2020 (P.L. 116-142), the
31 consolidated appropriations act, 2021 (P.L. 116-260) and the American
32 rescue plan act of 2021 (P.L. 117-2) that are retroactively effective
33 during taxable years beginning from and after December 31, 2019 through
34 December 31, 2020.

35 ~~E.~~ F. For the purposes of computing income tax pursuant to this
36 title, for taxable years beginning from and after December 31, 2018
37 through December 31, 2019, "internal revenue code" means the United States
38 internal revenue code of 1986, as amended, in effect on January 1, 2019,
39 including those provisions that became effective during 2018 with the
40 specific adoption of all retroactive effective dates, and including those
41 provisions of the taxpayer first act (P.L. 116-25), the further
42 consolidated appropriations act, 2020 (P.L. 116-94), the coronavirus aid,
43 relief, and economic security act (P.L. 116-136) and the consolidated
44 appropriations act, 2021 (P.L. 116-260) that are retroactively effective
45 during taxable years beginning from and after December 31, 2018 through
46 December 31, 2019.

1 ~~F.~~ G. For the purposes of computing income tax pursuant to this
 2 title, for taxable years beginning from and after December 31, 2017
 3 through December 31, 2018, "internal revenue code" means the United States
 4 internal revenue code of 1986, as amended, in effect on January 1, 2018,
 5 including those provisions that became effective during 2017 with the
 6 specific adoption of all retroactive effective dates, and including those
 7 provisions of the bipartisan budget act of 2018 (P.L. 115-123), the
 8 consolidated appropriations act, 2018 (P.L. 115-141), the further
 9 consolidated appropriations act, 2020 (P.L. 116-94), the coronavirus aid,
 10 relief, and economic security act (P.L. 116-136) and the consolidated
 11 appropriations act, 2021 (P.L. 116-260) that are retroactively effective
 12 during taxable years beginning from and after December 31, 2017 through
 13 December 31, 2018.

14 ~~G.~~ H. For the purposes of computing income tax pursuant to this
 15 title, for taxable years beginning from and after December 31, 2016
 16 through December 31, 2017, "internal revenue code" means the United States
 17 internal revenue code of 1986, as amended, in effect on January 1, 2017,
 18 including those provisions that became effective during 2016 with the
 19 specific adoption of all federal retroactive effective dates, and
 20 including those provisions of the disaster tax relief and airport and
 21 airway extension act of 2017 (P.L. 115-63), the tax cuts and jobs act
 22 (P.L. 115-97), the bipartisan budget act of 2018 (P.L. 115-123), the
 23 consolidated appropriations act, 2018 (P.L. 115-141), the further
 24 consolidated appropriations act, 2020 (P.L. 116-94) and the coronavirus
 25 aid, relief, and economic security act (P.L. 116-136) that are
 26 retroactively effective during taxable years beginning from and after
 27 December 31, 2016 through December 31, 2017.

28 ~~H.~~ I. For the purposes of computing income tax pursuant to this
 29 title, for taxable years beginning from and after December 31, 2015
 30 through December 31, 2016, "internal revenue code" means the United States
 31 internal revenue code of 1986, as amended, in effect on January 1, 2016,
 32 including those provisions that became effective during 2015 with the
 33 specific adoption of all federal retroactive effective dates, and
 34 including those provisions of the United States appreciation for olympians
 35 and paralympians act of 2016 (P.L. 114-239), the tax cuts and jobs act
 36 (P.L. 115-97), the consolidated appropriations act, 2018 (P.L. 115-141),
 37 the further consolidated appropriations act, 2020 (P.L. 116-94) and the
 38 coronavirus aid, relief, and economic security act (P.L. 116-136) that are
 39 retroactively effective during taxable years beginning from and after
 40 December 31, 2015 through December 31, 2016.

41 ~~I.~~ J. For the purposes of computing income tax pursuant to this
 42 title, for taxable years beginning from and after December 31, 2014
 43 through December 31, 2015, "internal revenue code" means the United States
 44 internal revenue code of 1986, as amended, in effect on January 1, 2015,
 45 including those provisions that became effective during 2014 with the
 46 specific adoption of all federal retroactive effective dates, and

1 including those provisions of the slain officer family support act of 2015
 2 (P.L. 114-7), the don't tax our fallen public safety heroes act
 3 (P.L. 114-14), the surface transportation and veterans health care choice
 4 improvement act of 2015 (P.L. 114-41), the consolidated appropriations
 5 act, 2016 (P.L. 114-113), the consolidated appropriations act, 2018
 6 (P.L. 115-141) and the coronavirus aid, relief, and economic security act
 7 (P.L. 116-136) that are retroactively effective during taxable years
 8 beginning from and after December 31, 2014 through December 31, 2015.

9 ~~+~~ K. For the purposes of computing income tax pursuant to this
 10 title, for taxable years beginning from and after December 31, 2013
 11 through December 31, 2014, "internal revenue code" means the United States
 12 internal revenue code of 1986, as amended, in effect on January 1, 2014,
 13 including those provisions that became effective during 2013 with the
 14 specific adoption of all federal retroactive effective dates, and
 15 including those provisions of the Philippines charitable giving assistance
 16 act (P.L. 113-92), the Gabriella Miller kids first research act
 17 (P.L. 113-94), the cooperative and small employer charity pension
 18 flexibility act (P.L. 113-97), the highway and transportation funding act
 19 of 2014 (P.L. 113-159), the tribal general welfare exclusion act of 2014
 20 (P.L. 113-168), the consolidated and further continuing appropriations
 21 act, 2015 (P.L. 113-235), the 2014 airline bankruptcy payments rollover
 22 act (P.L. 113-243), the tax increase prevention act of 2014
 23 (P.L. 113-295), the slain officer family support act of 2015 (P.L. 114-7),
 24 the consolidated appropriations act, 2016 (P.L. 114-113) and the
 25 coronavirus aid, relief, and economic security act (P.L. 116-136) that are
 26 retroactively effective during taxable years beginning from and after
 27 December 31, 2013 through December 31, 2014.

28 ~~K. For the purposes of computing income tax pursuant to this title,~~
 29 ~~for taxable years beginning from and after December 31, 2012 through~~
 30 ~~December 31, 2013, "internal revenue code" means the United States~~
 31 ~~internal revenue code of 1986, as amended, in effect on January 3, 2013,~~
 32 ~~including those provisions that became effective during 2012 with the~~
 33 ~~specific adoption of all federal retroactive effective dates, and~~
 34 ~~including those provisions of the Philippines charitable giving assistance~~
 35 ~~act (P.L. 113-92), the highway and transportation funding act of 2014~~
 36 ~~(P.L. 113-159), the tribal general welfare exclusion act of 2014~~
 37 ~~(P.L. 113-168), the 2014 airline bankruptcy payments rollover act~~
 38 ~~(P.L. 113-243), the tax technical corrections act of 2014 (P.L. 113-295,~~
 39 ~~division A, title II), the consolidated appropriations act, 2016~~
 40 ~~(P.L. 114-113) and the coronavirus aid, relief, and economic security act~~
 41 ~~(P.L. 116-136) that are retroactively effective during taxable years~~
 42 ~~beginning from and after December 31, 2012 through December 31, 2013.~~