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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **107**

January 11, 2007

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The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to taxation; modifying the treatment of wagering losses under the
1.3 alternative minimum tax; amending Minnesota Statutes 2006, section 290.091,
1.4 subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 290.091, subdivision 2, is amended to read:

1.7 Subd. 2. **Definitions.** For purposes of the tax imposed by this section, the following
1.8 terms have the meanings given:

1.9 (a) "Alternative minimum taxable income" means the sum of the following for
1.10 the taxable year:

1.11 (1) the taxpayer's federal alternative minimum taxable income as defined in section
1.12 55(b)(2) of the Internal Revenue Code;

1.13 (2) the taxpayer's itemized deductions allowed in computing federal alternative
1.14 minimum taxable income, but excluding:

1.15 (i) the charitable contribution deduction under section 170 of the Internal Revenue
1.16 Code;

1.17 (A) for taxable years beginning before January 1, 2006, to the extent that the
1.18 deduction exceeds 1.0 percent of adjusted gross income;

1.19 (B) for taxable years beginning after December 31, 2005, to the full extent of the
1.20 deduction.

1.21 For purposes of this clause, "adjusted gross income" has the meaning given in
1.22 section 62 of the Internal Revenue Code;

1.23 (ii) the medical expense deduction;

1.24 (iii) the casualty, theft, and disaster loss deduction; ~~and~~

- 2.1 (iv) the impairment-related work expenses of a disabled person; and
- 2.2 (v) the wagering loss deduction under section 165(d) of the Internal Revenue Code;
- 2.3 (3) for depletion allowances computed under section 613A(c) of the Internal
- 2.4 Revenue Code, with respect to each property (as defined in section 614 of the Internal
- 2.5 Revenue Code), to the extent not included in federal alternative minimum taxable income,
- 2.6 the excess of the deduction for depletion allowable under section 611 of the Internal
- 2.7 Revenue Code for the taxable year over the adjusted basis of the property at the end of the
- 2.8 taxable year (determined without regard to the depletion deduction for the taxable year);
- 2.9 (4) to the extent not included in federal alternative minimum taxable income, the
- 2.10 amount of the tax preference for intangible drilling cost under section 57(a)(2) of the
- 2.11 Internal Revenue Code determined without regard to subparagraph (E);
- 2.12 (5) to the extent not included in federal alternative minimum taxable income, the
- 2.13 amount of interest income as provided by section 290.01, subdivision 19a, clause (1); and
- 2.14 (6) the amount of addition required by section 290.01, subdivision 19a, clauses
- 2.15 (7), (8), and (9);
- 2.16 less the sum of the amounts determined under the following:
- 2.17 (1) interest income as defined in section 290.01, subdivision 19b, clause (1);
- 2.18 (2) an overpayment of state income tax as provided by section 290.01, subdivision
- 2.19 19b, clause (2), to the extent included in federal alternative minimum taxable income;
- 2.20 (3) the amount of investment interest paid or accrued within the taxable year on
- 2.21 indebtedness to the extent that the amount does not exceed net investment income, as
- 2.22 defined in section 163(d)(4) of the Internal Revenue Code. Interest does not include
- 2.23 amounts deducted in computing federal adjusted gross income; and
- 2.24 (4) amounts subtracted from federal taxable income as provided by section 290.01,
- 2.25 subdivision 19b, clauses (9) to (16).
- 2.26 In the case of an estate or trust, alternative minimum taxable income must be
- 2.27 computed as provided in section 59(c) of the Internal Revenue Code.
- 2.28 (b) "Investment interest" means investment interest as defined in section 163(d)(3)
- 2.29 of the Internal Revenue Code.
- 2.30 (c) "Tentative minimum tax" equals 6.4 percent of alternative minimum taxable
- 2.31 income after subtracting the exemption amount determined under subdivision 3.
- 2.32 (d) "Regular tax" means the tax that would be imposed under this chapter (without
- 2.33 regard to this section and section 290.032), reduced by the sum of the nonrefundable
- 2.34 credits allowed under this chapter.
- 2.35 (e) "Net minimum tax" means the minimum tax imposed by this section.

- 3.1 **EFFECTIVE DATE.** This section is effective for taxable years beginning after
- 3.2 December 31, 2006.