

**141.069 Credit allowed for tuition at eligible educational institution.**

- (1) As used in this section, "eligible Kentucky education institution" means an institution as defined by Section 25A of the Internal Revenue Code that is located within the Commonwealth of Kentucky.
- (2) For taxable years beginning after December 31, 2004, an individual may deduct from the tax computed under KRS 141.020 a nonrefundable credit for qualified tuition and related expenses required for enrollment or attendance of the taxpayer, taxpayer's spouse or any dependent at an eligible Kentucky educational institution. The credit shall be twenty-five percent (25%) of the federal credit allowable under Section 25A of the Internal Revenue Code.
- (3) The credit allowed in subsection (2) of this section shall not be allowed for expenses for graduate level course study.
- (4) If the taxpayer is a married individual within the meaning of Section 7703 of the Internal Revenue Code, the credit shall apply only if the taxpayer and the taxpayer's spouse file a joint return or file separately on a combined form. The credit shall not be allowed if the taxpayer and the taxpayer's spouse file separate returns.
- (5) Any unused credit may be carried forward five (5) years.

**Effective:** March 18, 2005

**History:** Created 2005 Ky. Acts ch. 168, sec. 8, effective March 18, 2005.

**Legislative Research Commission Note** (3/18/2005). 2005 Ky. Acts ch. 168, sec. 165, provides that this section shall apply to tax years beginning on or after January 1, 2005.