

House Engrossed Senate Bill

~~community facilities districts.~~  
(now: conformity; internal revenue code)

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# SENATE BILL 1752

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, 2020~~ MARCH 11, 2020  
25 2021, including those provisions that became effective during ~~2019~~ 2020  
26 with the specific adoption of their retroactive effective dates but  
27 excluding all changes to the code enacted after ~~January 1, 2020~~ MARCH 11,  
28 2021.

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

31 43-105. Internal revenue code; definition; application

32 A. FOR THE PURPOSES OF COMPUTING INCOME TAX PURSUANT TO THIS TITLE,  
33 FOR TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2020, "INTERNAL  
34 REVENUE CODE" MEANS THE UNITED STATES INTERNAL REVENUE CODE OF 1986, AS  
35 AMENDED, IN EFFECT ON MARCH 11, 2021, INCLUDING THOSE PROVISIONS THAT  
36 BECAME EFFECTIVE DURING 2020 WITH THE SPECIFIC ADOPTION OF ALL RETROACTIVE  
37 EFFECTIVE DATES, BUT EXCLUDING ANY CHANGES TO THE CODE ENACTED AFTER  
38 MARCH 11, 2021.

39 ~~A.~~ B. For the purposes of computing income tax pursuant to this  
40 title, for taxable years beginning from and after December 31, 2019  
41 THROUGH DECEMBER 31, 2020, "internal revenue code" means the United States  
42 internal revenue code of 1986, as amended, in effect on January 1, 2020,  
43 including those provisions that became effective during 2019 with the  
44 specific adoption of all retroactive effective dates, ~~but excluding any~~  
45 ~~changes to the code enacted after January 1, 2020~~ AND INCLUDING THOSE

1 PROVISIONS OF THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (P.L. 116-127),  
2 THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136), THE  
3 PAYCHECK PROTECTION PROGRAM FLEXIBILITY ACT OF 2020 (P.L. 116-142), THE  
4 CONSOLIDATED APPROPRIATIONS ACT, 2021 (P.L. 116-260) AND THE AMERICAN  
5 RESCUE PLAN ACT OF 2021 (P.L. 117-2) THAT ARE RETROACTIVELY EFFECTIVE  
6 DURING TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2019 THROUGH  
7 DECEMBER 31, 2020.

8 ~~B.~~ C. For the purposes of computing income tax pursuant to this  
9 title, for taxable years beginning from and after December 31, 2018  
10 through December 31, 2019, "internal revenue code" means the United States  
11 internal revenue code of 1986, as amended, in effect on January 1, 2019,  
12 including those provisions that became effective during 2018 with the  
13 specific adoption of all retroactive effective dates, and including those  
14 provisions of the taxpayer first act (P.L. 116-25), ~~and~~ the further  
15 consolidated appropriations act, 2020 (P.L. 116-94), THE CORONAVIRUS AID,  
16 RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136) AND THE CONSOLIDATED  
17 APPROPRIATIONS ACT, 2021 (P.L. 116-260) that are retroactively effective  
18 during taxable years beginning from and after December 31, 2018 through  
19 December 31, 2019.

20 ~~C.~~ D. For the purposes of computing income tax pursuant to this  
21 title, for taxable years beginning from and after December 31, 2017  
22 through December 31, 2018, "internal revenue code" means the United States  
23 internal revenue code of 1986, as amended, in effect on January 1, 2018,  
24 including those provisions that became effective during 2017 with the  
25 specific adoption of all retroactive effective dates, and including those  
26 provisions of the bipartisan budget act of 2018 (P.L. 115-123), the  
27 consolidated appropriations act, 2018 (P.L. 115-141), ~~and~~ the further  
28 consolidated appropriations act, 2020 (P.L. 116-94), THE CORONAVIRUS AID,  
29 RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136) AND THE CONSOLIDATED  
30 APPROPRIATIONS ACT, 2021 (P.L. 116-260) that are retroactively effective  
31 during taxable years beginning from and after December 31, 2017 through  
32 December 31, 2018.

33 ~~D.~~ E. For the purposes of computing income tax pursuant to this  
34 title, for taxable years beginning from and after December 31, 2016  
35 through December 31, 2017, "internal revenue code" means the United States  
36 internal revenue code of 1986, as amended, in effect on January 1, 2017,  
37 including those provisions that became effective during 2016 with the  
38 specific adoption of all federal retroactive effective dates, and  
39 including those provisions of the disaster tax relief and airport and  
40 airway extension act of 2017 (P.L. 115-63), the tax cuts and jobs act  
41 (P.L. 115-97), the bipartisan budget act of 2018 (P.L. 115-123), the  
42 consolidated appropriations act, 2018 (P.L. 115-141), ~~and~~ the further  
43 consolidated appropriations act, 2020 (P.L. 116-94) AND THE CORONAVIRUS  
44 AID, RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136) that are

1 retroactively effective during taxable years beginning from and after  
2 December 31, 2016 through December 31, 2017.

3 ~~F.~~ F. For the purposes of computing income tax pursuant to this  
4 title, for taxable years beginning from and after December 31, 2015  
5 through December 31, 2016, "internal revenue code" means the United States  
6 internal revenue code of 1986, as amended, in effect on January 1, 2016,  
7 including those provisions that became effective during 2015 with the  
8 specific adoption of all federal retroactive effective dates, and  
9 including those provisions of the United States appreciation for olympians  
10 and paralympians act of 2016 (P.L. 114-239), the tax cuts and jobs act  
11 (P.L. 115-97), the consolidated appropriations act, 2018 (P.L. 115-141),  
12 ~~and~~ the further consolidated appropriations act, 2020 (P.L. 116-94) **AND**  
13 **THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136)** that  
14 are retroactively effective during taxable years beginning from and after  
15 December 31, 2015 through December 31, 2016.

16 ~~F.~~ G. For the purposes of computing income tax pursuant to this  
17 title, for taxable years beginning from and after December 31, 2014  
18 through December 31, 2015, "internal revenue code" means the United States  
19 internal revenue code of 1986, as amended, in effect on January 1, 2015,  
20 including those provisions that became effective during 2014 with the  
21 specific adoption of all federal retroactive effective dates, and  
22 including those provisions of the slain officer family support act of 2015  
23 (P.L. 114-7), the don't tax our fallen public safety heroes act  
24 (P.L. 114-14), the surface transportation and veterans health care choice  
25 improvement act of 2015 (P.L. 114-41), the consolidated appropriations  
26 act, 2016 (P.L. 114-113), ~~and~~ the consolidated appropriations act, 2018  
27 (P.L. 115-141) **AND THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT**  
28 **(P.L. 116-136)** that are retroactively effective during taxable years  
29 beginning from and after December 31, 2014 through December 31, 2015.

30 ~~G.~~ H. For the purposes of computing income tax pursuant to this  
31 title, for taxable years beginning from and after December 31, 2013  
32 through December 31, 2014, "internal revenue code" means the United States  
33 internal revenue code of 1986, as amended, in effect on January 1, 2014,  
34 including those provisions that became effective during 2013 with the  
35 specific adoption of all federal retroactive effective dates, and  
36 including those provisions of the Philippines charitable giving assistance  
37 act (P.L. 113-92), the Gabriella Miller kids first research act  
38 (P.L. 113-94), the cooperative and small employer charity pension  
39 flexibility act (P.L. 113-97), the highway and transportation funding act  
40 of 2014 (P.L. 113-159), the tribal general welfare exclusion act of 2014  
41 (P.L. 113-168), the consolidated and further continuing appropriations  
42 act, 2015 (P.L. 113-235), the 2014 airline bankruptcy payments rollover  
43 act (P.L. 113-243), the tax increase prevention act of 2014  
44 (P.L. 113-295), the slain officer family support act of 2015 (P.L. 114-7),  
45 ~~and~~ the consolidated appropriations act, 2016 (P.L. 114-113) **AND THE**

1 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (P.L. 116-136) that are  
2 retroactively effective during taxable years beginning from and after  
3 December 31, 2013 through December 31, 2014.

4 ~~H.~~ I. For the purposes of computing income tax pursuant to this  
5 title, for taxable years beginning from and after December 31, 2012  
6 through December 31, 2013, "internal revenue code" means the United States  
7 internal revenue code of 1986, as amended, in effect on January 3, 2013,  
8 including those provisions that became effective during 2012 with the  
9 specific adoption of all federal retroactive effective dates, and  
10 including those provisions of the Philippines charitable giving assistance  
11 act (P.L. 113-92), the highway and transportation funding act of 2014  
12 (P.L. 113-159), the tribal general welfare exclusion act of 2014  
13 (P.L. 113-168), the 2014 airline bankruptcy payments rollover act  
14 (P.L. 113-243), the tax technical corrections act of 2014 (P.L. 113-295,  
15 division A, title II), ~~and~~ the consolidated appropriations act, 2016  
16 (P.L. 114-113) AND THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT  
17 (P.L. 116-136) that are retroactively effective during taxable years  
18 beginning from and after December 31, 2012 through December 31, 2013.

19 ~~I.~~ J. For the purposes of computing income tax pursuant to this  
20 title, for taxable years beginning from and after December 31, 2011  
21 through December 31, 2012, "internal revenue code" means the United States  
22 internal revenue code of 1986, as amended, in effect on January 1, 2012,  
23 including those provisions that became effective during 2011 with the  
24 specific adoption of all federal retroactive effective dates, and  
25 including those provisions of the FAA modernization and reform act of 2012  
26 (P.L. 112-95), the moving ahead for progress in the 21st century act  
27 (P.L. 112-141), the American taxpayer relief act of 2012 (P.L. 112-240),  
28 the 2014 airline bankruptcy payments rollover act (P.L. 113-243), the  
29 tribal general welfare exclusion act of 2014 (P.L. 113-168), the tax  
30 technical corrections act of 2014 (P.L. 113-295, division A, title II) and  
31 the consolidated appropriations act, 2016 (P.L. 114-113) that are  
32 retroactively effective during taxable years beginning from and after  
33 December 31, 2011 through December 31, 2012.

34 ~~J.~~ K. For the purposes of computing income tax pursuant to this  
35 title, for taxable years beginning from and after December 31, 2010  
36 through December 31, 2011, "internal revenue code" means the United States  
37 internal revenue code of 1986, as amended, in effect on January 1, 2011,  
38 including those provisions that became effective during 2010 with the  
39 specific adoption of all federal retroactive effective dates, and  
40 including those provisions of Public Law 112-40, the moving ahead for  
41 progress in the 21st century act (P.L. 112-141), the American taxpayer  
42 relief act of 2012 (P.L. 112-240), the tribal general welfare exclusion  
43 act of 2014 (P.L. 113-168) and the tax technical corrections act of 2014  
44 (P.L. 113-295, division A, title II) that are retroactively effective

1 during taxable years beginning from and after December 31, 2010 through  
2 December 31, 2011.

3 ~~K. For the purposes of computing income tax pursuant to this title,  
4 for taxable years beginning from and after December 31, 2009 through  
5 December 31, 2010, "internal revenue code" means the United States  
6 internal revenue code of 1986, as amended, in effect on January 1, 2010,  
7 including those provisions that became effective during 2009 with the  
8 specific adoption of all federal retroactive effective dates, and  
9 including those provisions of the temporary extension act of 2010  
10 (P.L. 111-144), the hiring incentives to restore employment act  
11 (P.L. 111-147), the patient protection and affordable care act  
12 (P.L. 111-148), the health care and education reconciliation act of 2010  
13 (P.L. 111-152), the preservation of access to care for medicare  
14 beneficiaries and pension relief act of 2010 (P.L. 111-192), the  
15 Dodd-Frank Wall Street reform and consumer protection act (P.L. 111-203),  
16 the small business jobs act of 2010 (P.L. 111-240), the claims resolution  
17 act of 2010 (P.L. 111-291), the tax relief, unemployment insurance  
18 reauthorization, and job creation act of 2010 (P.L. 111-312), the  
19 regulated investment company modernization act of 2010 (P.L. 111-325) and  
20 the tax technical corrections act of 2014 (P.L. 113-295, division A,  
21 title II) that are retroactively effective during taxable years beginning  
22 from and after December 31, 2009 through December 31, 2010.~~