

BILL

No. 35

An Act to amend *The Income Tax Act, 2000*

(Assented to _____)

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

Short title

1 This Act may be cited as *The Income Tax Amendment Act, 2021*.

SS 2000, c I-2.01 amended

2 *The Income Tax Act, 2000* is amended in the manner set forth in this Act.

New section 39.3

3 **The following section is added before section 40:**

“Active families benefit

39.3(1) In this section:

(a) **‘active families benefit amount’** means an active families benefit amount determined in accordance with section 4 of *The Active Families Benefit Act, 2021*;

(b) **‘eligible child’** means an eligible child as defined in *The Active Families Benefit Act, 2021*;

(c) **‘eligible individual’** means, with respect to a taxation year, an individual who:

(i) was an eligible individual, as defined in *The Active Families Benefit Act, 2021*, with respect to an eligible child for that taxation year;

(ii) was resident in Saskatchewan on the last day of the taxation year; and

(iii) has an adjusted income for the taxation year as defined in clause 38(1)(a) that does not exceed \$60,000.

(2) Subject to subsection (3), an eligible individual may claim an active families benefit amount for a taxation year with respect to each eligible child of the eligible individual for that taxation year by filing the form described in subsection 5(4) of *The Active Families Benefit Act, 2021* with the eligible individual’s return of income for the taxation year.

(3) Only one individual may claim an active families benefit amount with respect to an eligible child for a taxation year.

(4) If an eligible individual claims an active families benefit amount in accordance with subsection (2) for a taxation year with respect to an eligible child, an amount equal to the active families benefit amount of the eligible individual for the taxation year is deemed to be an amount paid by the eligible individual on account of the eligible individual's tax payable pursuant to this Act for the taxation year.

(5) For the purposes of this section, an eligible individual who dies while resident in Saskatchewan is deemed to be resident in Saskatchewan on the last day of the taxation year in which the eligible individual dies.

(6) For the purposes of this section, if an individual becomes bankrupt in a taxation year, the individual's income for the year includes the individual's income for the taxation year that commences on January 1 of the taxation year that includes the date of the bankruptcy".

Section 50 amended

4(1) Section 50 is amended by adding “, 19.3, 19.4, 19.5” after “sections 18, 19.2”.

(2) Section 50 is amended by striking out “sections 18, 19.2, 19.3, 19.4, 19.5 and 21 to 28 and subsection 29(3)” and substituting “sections 18, 19.11, 19.2, 19.3, 19.4, 19.5 and 21 to 28, subsection 29(3) and section 39.3”.

Section 64 repealed

5 Section 64 is repealed.

Section 66 repealed

6 Section 66 is repealed.

Section 67.2 amended

7 Clause 67.2(6)(d) is amended by striking out “third” and substituting “sixth”.

Section 77 amended

8 Section 77 is amended by striking out “subsections 153(1) to (3)” and substituting “subsections 153(1), (1.01) and (1.1) to (3)”.

Section 82 repealed

9 Section 82 is repealed.

Coming into force

10(1) Subject to subsections (2) to (4), this Act comes into force on assent.

(2) Subsection 4(1) comes into force on assent, but is retroactive and is deemed to have been in force on and from January 1, 2020.

(3) Section 8 comes into force on assent, but is retroactive and is deemed to have been in force on and from March 25, 2020.

(4) Sections 3 and 7 and subsection 4(2) come into force on assent, but are retroactive and are deemed to have been in force on and from January 1, 2021.

FIRST SESSION
Twenty-ninth Legislature
SASKATCHEWAN

B I L L

No. 35

An Act to amend *The Income Tax Act, 2000*

Received and read the

First time

Second time

Third time

And passed

Honourable Donna Harpauer
