

110TH CONGRESS
1ST SESSION

S. 1727

To amend the Internal Revenue Code of 1986 to provide for a credit against income tax for certain educator expenses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2007

Ms. COLLINS (for herself, Mr. WARNER, Mr. CHAMBLISS, Ms. SNOWE, Mr. ISAKSON, Mr. LUGAR, Mr. CORNYN, Mr. COLEMAN, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide for a credit against income tax for certain educator expenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Teacher Tax Credit
5 Act of 2007”.

1 **SEC. 2. CREDIT FOR EDUCATION EXPENSES OF ELEMEN-**
 2 **TARY AND SECONDARY SCHOOL TEACHERS.**

3 (a) IN GENERAL.—Subpart C of part IV of sub-
 4 chapter A of chapter 1 (relating to refundable credits) is
 5 amended—

6 (1) by redesignating section 36 as section 37,
 7 and

8 (2) by inserting after section 35 the following
 9 new section:

10 **“SEC. 36. CREDIT FOR EDUCATION EXPENSES OF ELEMEN-**
 11 **TARY AND SECONDARY SCHOOL TEACHERS.**

12 “(a) ALLOWANCE OF CREDIT.—In the case of an eli-
 13 gible teacher, there shall be allowed as a credit against
 14 the tax imposed by this subtitle for the taxable year, an
 15 amount equal to 50 percent of so much of the qualified
 16 elementary and secondary education expenses and quali-
 17 fied professional development expenses paid or incurred by
 18 such eligible teacher during the taxable year as does not
 19 exceed \$300.

20 “(b) DEFINITIONS.—For purposes of this section—

21 “(1) ELIGIBLE TEACHER.—The term ‘eligible
 22 teacher’ means an individual who is a kindergarten
 23 through grade 12 classroom teacher, instructor,
 24 counselor, aide, or principal in an elementary or sec-
 25 ondary school on a full-time basis for an academic
 26 year ending during a taxable year.

1 “(2) QUALIFIED ELEMENTARY AND SECONDARY
 2 EDUCATION EXPENSES.—The term ‘qualified ele-
 3 mentary and secondary education expenses’ means
 4 expenses for books, supplies (other than nonathletic
 5 supplies for courses of instruction in health or phys-
 6 ical education), computer equipment (including re-
 7 lated software and services) and other equipment,
 8 and supplementary materials used by an eligible
 9 teacher in the classroom.

10 “(3) QUALIFIED PROFESSIONAL DEVELOPMENT
 11 EXPENSES.—

12 “(A) IN GENERAL.—The term ‘qualified
 13 professional development expenses’ means ex-
 14 penses for tuition, fees, books, supplies, equip-
 15 ment, and transportation required for the en-
 16 rollment or attendance of an individual in a
 17 qualified course of instruction.

18 “(B) QUALIFIED COURSE OF INSTRUCC-
 19 TION.—The term ‘qualified course of instruc-
 20 tion’ means a course of instruction which—

21 “(i) is—

22 “(I) directly related to the cur-
 23 riculum and academic subjects in
 24 which an eligible teacher provides in-
 25 struction, or

1 “(II) designed to enhance the
2 ability of an eligible teacher to under-
3 stand and use State standards for the
4 academic subjects in which such
5 teacher provides instruction,

6 “(ii) may—

7 “(I) provide instruction in how to
8 teach children with different learning
9 styles, particularly children with dis-
10 abilities and children with special
11 learning needs (including children who
12 are gifted and talented), or

13 “(II) provide instruction in how
14 best to discipline children in the class-
15 room and identify early and appro-
16 priate interventions to help children
17 described in subclause (I) to learn,

18 “(iii) is tied to challenging State or
19 local content standards and student per-
20 formance standards.

21 “(iv) is tied to strategies and pro-
22 grams that demonstrate effectiveness in in-
23 creasing student academic achievement
24 and student performance, or substantially

1 increasing the knowledge and teaching
2 skills of an eligible teacher,

3 “(v) is of sufficient intensity and du-
4 ration to have a positive and lasting im-
5 pact on the performance of an eligible
6 teacher in the classroom (which shall not
7 include 1-day or short-term workshops and
8 conferences), except that this clause shall
9 not apply to an activity if such activity is
10 1 component described in a long-term com-
11 prehensive professional development plan
12 established by an eligible teacher and the
13 teacher’s supervisor based upon an assess-
14 ment of the needs of the teacher, the stu-
15 dents of the teacher, and the local edu-
16 cational agency involved, and

17 “(vi) is part of a program of profes-
18 sional development which is approved and
19 certified by the appropriate local edu-
20 cational agency as furthering the goals of
21 the preceding clauses.

22 “(C) LOCAL EDUCATIONAL AGENCY.—The
23 term ‘local educational agency’ has the meaning
24 given such term by section 9101(26) of the Ele-
25 mentary and Secondary Education Act of 1965

1 (20 U.S.C. 7801(26)), as in effect on the date
2 of the enactment of this section.

3 “(4) ELEMENTARY OR SECONDARY SCHOOL.—
4 The term ‘elementary or secondary school’ means
5 any school which provides elementary education or
6 secondary education (through grade 12), as deter-
7 mined under State law.

8 “(c) DENIAL OF DOUBLE BENEFIT.—No deduction
9 shall be allowed under this chapter for any expense for
10 which a credit is allowed under this section.

11 “(d) ELECTION TO HAVE CREDIT NOT APPLY.—A
12 taxpayer may elect to have this section not apply for any
13 taxable year.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for subpart C of part IV of subchapter A of chapter 1
16 is amended by striking the item relating to section 36 and
17 inserting after the item relating to section 35 the following
18 new items:

“Sec. 36. Credit for education expenses of elementary and secondary school
teachers.

“Sec. 37. Overpayments of tax.”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to taxable years beginning after
21 December 31, 2007.

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