

# K-47

(Rev. 9/09)

# KANSAS ADOPTION CREDIT

For the taxable year beginning \_\_\_\_\_, 20\_\_\_\_; ending \_\_\_\_\_, 20\_\_\_\_.

Name of taxpayer (as shown on return)	Social Security Number
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## PART A – GENERAL ADOPTION CREDIT

1. Federal adoption credit allowed this tax year (see instructions). 1. \_\_\_\_\_
2. Credit percentage allowed. Check the appropriate box, multiply line 1 by the corresponding percentage, and enter the result. 2. \_\_\_\_\_
  - 25% (.25) if the adopted child was NOT a Kansas resident prior to adoption, **or**
  - 50% (.50) if the adopted child WAS a Kansas resident prior to adoption, **or**
  - 75% (.75) if the adopted child was BOTH a Kansas resident prior to adoption AND a “child with special needs”.

## PART B – SPECIAL NEEDS OR SRS ADOPTION CREDIT

3. Special needs/SRS custody adoption credit (see instructions). 3. \_\_\_\_\_

## PART C – COMPUTATION OF THIS YEAR'S CREDIT

4. Credit forward from line 8 of your prior year's Schedule 47. 4. \_\_\_\_\_  
(Make no entry on this line if this is your first year to claim the credit.)
- 5a. Total credit available this tax year. Add lines 2, 3, and 4, and enter the result: \_\_\_\_\_ 5b. \_\_\_\_\_  
Multiply the amount on line 5a by 90% and enter the result on line 5b.
- 6a. Enter your Kansas tax liability for this tax year to be applied against this credit: \_\_\_\_\_ 6b. \_\_\_\_\_  
Multiply the amount on line 6a by 90% and enter on line 6b.
7. Adoption credit for this tax year (enter the lesser of lines 5b or 6b). 7. \_\_\_\_\_  
Also enter this amount on appropriate line of Form K-40. **If line 6 is less than 5, complete PART D.**

## PART D – COMPUTATION OF CARRY FORWARD CREDIT

8. Subtract line 6a from line 5a. This is your carry forward credit available on next year's Schedule K-47 8. \_\_\_\_\_  
Enter this amount on next year's Schedule K-47.

## INSTRUCTIONS FOR SCHEDULE K-47

### GENERAL INFORMATION

K.S.A. 79-32,202 provides adoption tax credits for all taxable years beginning after December 31, 2005. These credits are available only to Kansas residents and to part-year residents of Kansas who file as residents.

**General Adoption Credit:** The basic credit for Kansas residents adopting a child (or children) is 25% of the adoption credit *allowed* against your income **tax liability** on your **federal** return.

An additional 25% credit is available to Kansas residents if the adopted child was a Kansas resident prior to adoption. Therefore, the total Kansas adoption credit is 50% of the *allowed* federal adoption credit when the adopted child was a Kansas resident prior to adoption.

An additional 25% credit is available to Kansas residents if the adopted child was both a Kansas resident prior to

adoption AND a “child with special needs”. Therefore, the total Kansas adoption credit is 75% of the *allowed* federal adoption credit when the adopted child was both a Kansas resident prior to adoption AND a “child with special needs”.

A “child with special needs” as defined by 26 U.S.C. 23(d)(3)(A) means a State has determined that the child cannot or should not be returned to the home of his parents, (B) such State has determined that there exists with respect to the child a specific factor or condition (such as his ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental, or emotional handicaps) because of which it is reasonable to conclude that such child cannot be placed with adoptive parents without providing adoption assistance, and (C) such child is a citizen or resident of the United States (as defined in section 217(h)(3)).

**Special Needs/SRS Custody Adoption Credit:** For residents adopting a child with special needs or a child in the custody of the Kansas Secretary of Social & Rehabilitation Services, a credit of \$1,500 is allowed IN ADDITION to those described in the *General Adoption Credits* section. This credit is available even if you have been reimbursed all or part of the qualifying adoption expenses.

**Adopting More Than One Child:** If you completed Federal Form 8839, Qualified Adoption Expenses, for two (2) or more adopted children that qualify for different Kansas Adoption credits, please complete a separate Form 8839 (PART II) Worksheet for each adopted child. This worksheet will be for Kansas calculation purposes only.



A Kansas resident adopts two children, both residents of Kansas prior to adoption. One child is a “child with special needs”. The allowable Kansas credit for one child is 50% of the federal credit and 75% of the federal credit for the child with special needs. Since the Kansas credits are a percentage of the federal credit based on that child’s specific status (resident/nonresident; “child with special needs”), a separate Form 8839 Worksheet will need to be prepared to determine the amount of the federal credit for each child.

In addition to the 75% credit available to Kansas residents for adopting a “child with special needs”, the adoptive parents are entitled to an additional \$1,500 credit. The \$1,500 credit is available to Kansas residents when the adoptive child is either in the custody of the SRS or a “child with special needs”.

If Kansas residents adopt a child that is either in the custody of the SRS or a “child with special needs” but the adopted child is a nonresident of Kansas the credit is 25% of the federal credit allowed and the additional \$1,500 credit. (Note that the definition of a “child with special needs” requires that the child be a citizen or resident of the United States.)



**Kansas Tax Liability Limit:** If your Kansas adoption credit is more than your tax liability for the tax year (after all other credits), you may carry any unused credit amount forward until the credit is used up.

### SPECIFIC LINE INSTRUCTIONS

Complete a separate Schedule K-47 for each adopted child.

#### PART A - GENERAL ADOPTION CREDIT

**LINE 1**—Enter the federal adoption credit amount allowed this tax year. This is generally the amount of credit shown on federal Form 8839. However, if your federal adoption credit amount is greater than your regular federal tax liability, enter only the amount actually applied to your federal tax liability. If you are claiming this credit for having adopted more than one child, follow the instructions outlined in the paragraph above entitled *Adopting More Than One Child*.

**LINE 2**—Credit percentage allowed. Mark the box for the percentage that is appropriate for your situation. If, prior to adoption, the child was:

- **not** a Kansas resident, multiply line 1 by 25% (.25).
- a Kansas resident, multiply line 1 by 50% (.50).
- both a Kansas resident **and** a “child with special needs”, multiply line 1 by 75% (.75).

#### PART B - SPECIAL NEEDS OR SRS ADOPTION CREDIT

**LINE 3**—The credit is \$1,500 for each child with special needs or in the custody of SRS who was adopted this tax year.

#### PART C - COMPUTATION OF THIS YEAR'S CREDIT

**LINE 4**—If this is your first year to claim this credit, make no entry on this line. In subsequent years, enter the amount from line 8 of your prior year’s Schedule K-47.

**LINE 5a**—Add lines 2, 3 and 4, and enter the result here.

**LINE 5b**—Multiply the amount on line 5a by 90% (.90) and enter the result.

**LINE 6a**—Enter the amount of your Kansas tax liability for this year. If you are filing more than one (1) credit schedule this year, enter only the amount of tax liability you wish to apply to this credit. The amount entered on line 6a (not line 6b) is the amount of tax liability considered to be “used” when calculating the remaining tax liability to be applied against other credits.

**Example:** If your tax liability is \$1000 (before applying the 90% factor) and the amount entered on line 6a is \$400, then the amount of tax liability available to apply to any other credit schedules would be \$600.

**LINE 6b**—Multiply the amount on line 6a by 90% (.90) and enter the result.

**LINE 7**—Enter the **smaller** of lines 5b or 6b. This is the amount of your Kansas Adoption Credit for this tax year. Enter this amount on the appropriate line of Form K-40.

If your Kansas Adoption Credit on line 5a is more than your Kansas tax liability for this tax year on line 6a, complete Part D of this schedule and use that excess amount on next year’s tax return.

#### PART D — COMPUTATION OF CARRY FORWARD CREDIT

**LINE 8**—Subtract line 6a from line 5a. Do not enter an amount less than zero. This is the amount of credit you will have available to enter on line 4 of the Schedule K-47 you file next year.



You should retain a copy of the following forms and documents with your records as KDOR (Kansas Department of Revenue) reserves the right to request any additional information as necessary.

- Agency Consent to Adoption
- Adoption Support Agreement
- Adoption Decree
- Federal Form 8839 and computation of expenses (if applicable)

#### TAXPAYER ASSISTANCE

For additional information or assistance in completing this schedule contact KDOR:

Taxpayer Assistance Center  
Docking State Office Building  
915 SW Harrison, 1st Floor  
Topeka, KS 66625-2007

Phone: (785) 368-8222  
Hearing Impaired TTY: (785) 296-6461

Additional copies of this schedule are available from our office or web site at: [www.ksrevenue.org](http://www.ksrevenue.org)