

CHAPTER 37—S.F.No.385

An act relating to taxes on and measured by net income; authorizing the commissioner to credit certain overpayments against previous tax liabilities of certain persons filing joint returns; amending Minnesota Statutes 1969, Section 290.50, Subdivision 5.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 290.50, Subdivision 5, is amended to read:

Subd. 5. **TAXATION; INCOME TAX; OVERPAYMENTS; CREDITS.** (a) If the amount allowable as a credit under section 290.92, subdivision 12 (relating to credit for tax withheld at source) or an amount determined to be an overpayment under section 290.93, subdivision 9, exceeds the taxes imposed by chapter 290 against which such credit is allowable the amount of such excess shall be considered an overpayment. An amount paid as tax shall constitute an overpayment even if in fact there was no tax liability with respect to which such amount was paid.

(b) Notwithstanding any other provision of law to the contrary, in the case of any overpayment the commissioner, within the applicable period of limitations, may credit the amount of such overpayment against any liability in respect of Minnesota income tax on the part of the person who made the overpayment or against any liability in respect to Minnesota income tax on the part of either spouse who shall have filed a joint return for the taxable year in which the overpayment was made and shall refund any balance of more than one dollar to such person if the taxpayer shall so request.

The commissioner is authorized to prescribe regulations providing for the crediting against the estimated income tax for any taxable year of the amount determined by the commissioner to be an overpayment of the income tax for a preceding taxable year.

Approved March 5, 1971.

CHAPTER 38—S.F.No.390

An act relating to income taxation; designating the commissioner of taxation as payee of taxes imposed by Minnesota Statutes 1969, Chapter 290; amending Minnesota Statutes 1969, Section 290.45, Subdivision 1.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 290.45, Subdivision 1, is amended to read:

Changes or additions indicated by underline, deletions by ~~strikeout~~.