ESSENTIAL INFORMATION
August 2020

Earned Income Tax Credit Laws
Prepared by the Policy Surveillance Program Staff

SUMMARY
This map identifies the laws in 50 states and the District of Columbia relating to state earned income tax credit (EITC) laws. Specifically, this dataset examines the mechanisms of state EITCs as August 1, 2020.

ABOUT EARNED INCOME TAX CREDIT LAWS & THE DATA
The Earned Income Tax Credit (EITC) is a benefit for working people with low to moderate income (Internal Revenue Service [IRS], 2019). The EITC has been shown to improve health, with the biggest health improvements occurring among single mothers and children (Simon, McInerney, & Goodell, 2018). The EITC exists at the federal level, and 30 jurisdictions have a state EITC that provide a percentage of the federal credit and can apply to individuals that wouldn’t otherwise qualify for the federal credit. This dataset highlights areas where there are differences between the federal EITC and state EITCs, as well as areas where there is variation among state EITCs, including income, marital status, number of children, eligibility requirements, methods for calculating the EITC amount, refundability, awareness and outreach efforts, and data tracking requirements.

As of August 1, 2020:

- Twenty-nine states and the District of Columbia have a state earned income tax credit (EITC).
- Of those 30 jurisdictions, 21 allow for at least a partial refund of any excess amount after the EITC is applied to the individuals tax liability, while four states allow for a refund of the entire credit before it is applied to the individuals tax liability.
- Half of all states that provide EITCs require notice from either employers or the state to taxpayers about the possibility of qualifying for the credit.
- State EITCs are generally a percentage of the federal EITC. Those percentages for refundable credits range from 3% to 40%.
- Seventeen jurisdictions restrict EITCs to residents of that jurisdiction.

This is a cross-sectional dataset and captures the law as it existed on August 1, 2020.

NAVIGATING THE DATA
There are two ways to navigate the data by clicking the Filter tab or the Explore tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.
Filter
The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions.

Explore
Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The primary questions in this dataset are:

1. Does the state have an Earned Income Tax Credit (EITC)?
2. Does the law provide an EITC for single individuals with no children?
3. Does the law provide an EITC for single individuals with one child?
4. Does the law provide an EITC for single individuals with two children?
5. Does the law provide an EITC for single individuals with three children?
6. Does the law provide an EITC for married individuals with no children?
7. Does the law provide an EITC for married individuals with one child?
8. Does the law provide an EITC for married individuals with two children?
9. Does the law provide an EITC for married individuals with three children?
10. Is there a state EITC notification requirement?
11. Are there requirements for reporting state EITC data to the general public?
12. Is the state EITC considered income for public assistance determinations?

DISPLAYING THE RESULTS
There are two display modes once criteria have been selected by using either the Filter or Explore tab — Map display mode and Profiles display mode.

Map Display
LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.
Profiles Display
The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

Profile Legend
Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>$$$</th>
<th>Toggle Legal Text – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Toggle Full Place Profile – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td></td>
<td>Toggle Size – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

Map and Profile Legend
There are a few symbols to be aware of in both Map and Profiles display modes:

| § | Section Symbol – Clicking this symbol will open a window that displays excerpts from the law that correspond to the question and answer. |
| | Caution Note – Clicking on this symbol will open a small window that displays text that describes important caveats about the question and answer. |

DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- **Data**: The Data file exports in CSV format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- **Codebook**: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.
• Research Protocol: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

• Summary Report: Trust for America’s Health has created a policy brief on state Earned Income Tax Credits which contains a snapshot of important information from the dataset, as well as key contextual information on the efficacy and impacts of these credits on public health.

ADDITIONAL INFORMATION

• For more information on state Earned Income Tax Credits please see the Internal Revenue Service, the Tax Policy Center, and TCWF – Promoting Tax Credits for Workers and Their Families.

• You can also check with your state government to see how you can apply for an Earned Income Tax Credit!

This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.

This publication was created as part of the Promoting Health and Cost Control in States (PHACCS) Initiative in collaboration with Trust for America’s Health and supported by the Robert Wood Johnson Foundation. For more information, please visit https://www.tfah.org/initiatives/promoting-health-cost-control-states-phaccs/.