

**§5219-PP. Credit for certain homestead modifications**

**1. Credit allowed.** An individual with federal adjusted gross income not exceeding \$55,000 who makes qualified expenditures for the purpose of making all or any portion of an existing homestead, as defined in section 5219-II, subsection 1, paragraph C, accessible to an individual with a disability or physical hardship who resides or will reside in the homestead is allowed a credit against the tax otherwise imposed under this Part in an amount equal to the applicable percentage of the qualified expenditures or \$9,000, whichever is less.

[PL 2017, c. 211, Pt. D, §10 (NEW).]

**2. Qualified expenditures.** An individual claiming a credit under this section must demonstrate to the Maine State Housing Authority that the homestead modifications for which the expenditures were incurred comply with applicable building standards governing home accessibility in the jurisdiction where the homestead is located and are consistent with standards adopted by the authority. The authority may adopt rules consistent with this section to identify the types of homestead modifications that will enable accessibility for individuals with disabilities or physical hardships. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2017, c. 211, Pt. D, §10 (NEW).]

**3. Certification.** The Maine State Housing Authority shall certify to the State Tax Assessor the total qualified expenditures made by an individual seeking to claim a credit under this section. The authority may contract with a public or private entity to make the certification required under this subsection.

[PL 2017, c. 211, Pt. D, §10 (NEW).]

**4. Limitations; carry-forward.** The credit under this section must be taken in the taxable year in which the certification required by subsection 3 is made by the Maine State Housing Authority, except that the credit claimed for any taxable year beginning on or after January 1, 2018 may not include qualified expenditures for which a credit has been claimed for a tax year beginning in 2017. The credit allowed under this section may not reduce the tax otherwise due under this Part to less than zero. Any unused portion of the credit may be carried forward to the following year or years for a period not to exceed 4 years.

[PL 2017, c. 375, Pt. C, §2 (AMD).]

**5. Applicable percentage.** For the purposes of this section, "applicable percentage" means:

A. For taxpayers with a federal adjusted gross income of up to \$25,000, 100%; [PL 2017, c. 211, Pt. D, §10 (NEW).]

B. For taxpayers with a federal adjusted gross income over \$25,000 but not over \$30,000, 90%; [PL 2017, c. 211, Pt. D, §10 (NEW).]

C. For taxpayers with a federal adjusted gross income over \$30,000 but not over \$35,000, 80%; [PL 2017, c. 211, Pt. D, §10 (NEW).]

D. For taxpayers with a federal adjusted gross income over \$35,000 but not over \$40,000, 70%; [PL 2017, c. 211, Pt. D, §10 (NEW).]

E. For taxpayers with a federal adjusted gross income over \$40,000 but not over \$45,000, 60%; and [PL 2017, c. 211, Pt. D, §10 (NEW).]

F. For taxpayers with a federal adjusted gross income over \$45,000 but not over \$55,000, 50%. [PL 2017, c. 211, Pt. D, §10 (NEW).]

[PL 2017, c. 211, Pt. D, §10 (NEW).]

**6. Application.** Except for the credit allowed with respect to the carry-forward of unused credit amounts pursuant to subsection 4, the tax credit allowed under this section does not apply to taxable years beginning on or after January 1, 2024.

[PL 2023, c. 441, Pt. C, §6 (NEW); PL 2023, c. 441, Pt. C, §11 (AFF).]

SECTION HISTORY

PL 2017, c. 211, Pt. D, §10 (NEW). PL 2017, c. 375, Pt. C, §2 (AMD). PL 2023, c. 441, Pt. C, §6 (NEW). PL 2023, c. 441, Pt. C, §11 (AFF).

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