

HOUSE BILL NO. 5177

June 29, 2021, Introduced by Reps. Bolden and Weiss and referred to the Committee on Tax Policy.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
(MCL 206.1 to 206.713) by adding section 277.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 277. (1) Subject to the limitations under this section,**
2 **for tax years that begin on and after January 1, 2021 and before**
3 **January 1, 2026, a taxpayer that purchases a qualified principal**
4 **residence or retrofits or hires someone to retrofit the taxpayer's**
5 **principal residence, provided that the retrofitting of the**

1 taxpayer's principal residence is designed to improve accessibility
2 or provide visitability, may claim a credit against the tax imposed
3 by this part in an amount equal to 4.0% of the total purchase price
4 paid for the qualified principal residence or 50% of the total
5 amount spent for the retrofitting of the taxpayer's principal
6 residence. The amount of the credit allowed under this section
7 shall not exceed \$5,000.00 for the purchase of a principal
8 residence or for the retrofitting of a principal residence. A
9 taxpayer shall not claim more than 1 credit for the same principal
10 residence.

11 (2) To qualify for the credit under this section, a taxpayer
12 shall request certification from the Michigan state housing
13 development authority in a form and manner as prescribed by the
14 Michigan state housing development authority no later than January
15 10 of the tax year immediately succeeding the tax year for which
16 the credit is to be claimed. The Michigan state housing development
17 authority shall approve or deny all requests for certification and
18 issue the certificates no later than February 10 of the same tax
19 year. A taxpayer shall not claim a credit under this section unless
20 the Michigan state housing development authority has issued a
21 certificate to the taxpayer. The taxpayer shall attach the
22 certificate to the annual return filed under this part on which a
23 credit under this section is claimed. The certificate required
24 under this subsection shall specify all of the following:

25 (a) The name of the taxpayer and the address of the qualified
26 principal residence.

27 (b) The purchase price of the qualified principal residence or
28 the total amount expended to retrofit the taxpayer's principal
29 residence into a qualified principal residence during the tax year

1 by the taxpayer.

2 (c) The total amount of the credit under this section that the
3 taxpayer is allowed to claim for the tax year.

4 (3) The total amount of credits that the Michigan state
5 housing development authority may certify under this section shall
6 not exceed \$1,000,000.00 in any 1 tax year. Except as otherwise
7 provided under this subsection, each year the Michigan state
8 housing development authority shall allocate \$500,000.00 in credits
9 for the purchase of qualified principal residences and \$500,000.00
10 in credits for the retrofitting of principal residences. If the
11 amount of tax credits approved in a single tax year for the
12 purchase of qualified principal residences is less than
13 \$500,000.00, the director of the Michigan state housing development
14 authority shall allocate the remaining balance of those tax credits
15 for the retrofitting of principal residences. If the amount of tax
16 credits approved in a single tax year for the retrofitting of
17 principal residences is less than \$500,000.00, the director of the
18 Michigan state housing development authority shall allocate the
19 remaining balance of those tax credits for the purchase of
20 qualified principal residences. In the event that the requests for
21 certification for the tax credit exceed the amount allocated by the
22 director for that tax year, the Michigan state housing development
23 authority shall issue the tax credits pro rata based upon the
24 amount of tax credits approved for each taxpayer and the amount of
25 tax credits allocated by the director.

26 (4) The taxpayer shall claim the credit under this section for
27 the same tax year in which the qualified principal residence was
28 purchased or that the retrofitting of the taxpayer's principal
29 residence was completed. If the amount of the credit allowed under

1 this section exceeds the tax liability of the taxpayer for the tax
2 year, that portion of the credit that exceeds the tax liability of
3 the taxpayer for the tax year shall not be refunded but may be
4 carried forward to offset tax liability under this part in
5 subsequent tax years for a period not to exceed 7 tax years or
6 until used up, whichever occurs first.

7 (5) As used in this section:

8 (a) "Accessibility" means that the principal residence is
9 designed to provide the taxpayer or an individual who is related to
10 the taxpayer or who resides with the taxpayer, who has 1 or more
11 physical limitations in daily life activities as verified by that
12 individual's physician, with the ability to enter, exit, and use
13 the property with and without assistance. For purposes of this
14 subdivision, an individual is related to the taxpayer if that
15 individual is a spouse, brother or sister, whether of the whole or
16 half blood or by adoption, ancestor, or lineal descendant of that
17 individual or related person.

18 (b) "Michigan state housing development authority" means the
19 authority created under the state housing development authority act
20 of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

21 (c) "Physician" means that term defined under section 17001 or
22 17501 of the public health code, 1978 PA 368, MCL 333.17001 and
23 333.17501.

24 (d) "Principal residence" means property exempt as a principal
25 residence under section 7cc of the general property tax act, 1893
26 PA 206, MCL 211.7cc.

27 (e) "Qualified principal residence" means a principal
28 residence that is designed to improve accessibility or provide
29 visitability.

1 (f) "Visitability" means a principal residence designed to
2 include all of the following:

3 (i) At least 1 zero-step entrance.

4 (ii) At least 1 full or half bathroom on the main floor.

5 (iii) All doorways on the main floor have a minimum of 32 inches
6 of clear passage space.