

By: Representative Sykes

To: Ways and Means

HOUSE BILL NO. 19

1 AN ACT TO CREATE THE LIVABLE HOMES TAX CREDIT ACT; TO
2 AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS WHO PURCHASE A NEW,
3 NEVER OCCUPIED RESIDENCE THAT IS DESIGNED TO IMPROVE ACCESSIBILITY
4 AND PROVIDE UNIVERSAL VISITABILITY OR WHO RETROFIT AN EXISTING
5 RESIDENCE FOR THE PURPOSE OF IMPROVING ACCESSIBILITY AND PROVIDING
6 UNIVERSAL VISITABILITY; TO PROVIDE THE AMOUNT OF THE CREDIT; TO
7 LIMIT THE AMOUNT OF THE TAX CREDIT THAT MAY BE CLAIMED IN A
8 TAXABLE YEAR; TO AUTHORIZE ANY TAX CREDIT CLAIMED UNDER THIS ACT
9 BUT NOT USED IN ANY TAXABLE YEAR TO BE CARRIED FORWARD FOR FIVE
10 CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** This act shall be known and may be cited as the
13 "Livable Homes Tax Credit Act."

14 **SECTION 2.** (1) (a) (i) Subject to the provisions of this
15 section, a taxpayer who purchases a new, never occupied residence
16 that is designed to improve accessibility and provide universal
17 visitability shall be allowed a credit against the taxes imposed
18 under this chapter. The credit shall be for an amount equal to
19 the lesser of Eight Thousand Dollars (\$8,000.00) or the amount of
20 the value added by the design. However, the tax credit shall not
21 exceed the amount of tax imposed upon the taxpayer for the taxable
22 year reduced by the sum of all other credits allowable to the



taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. The tax credit is earned in the taxable year in which the taxpayer purchases the residence. Any tax credit claimed under this subparagraph (i) but not used in a taxable year may be carried forward for five (5) consecutive years from the close of the taxable year in which the credit was earned.

(ii) Subject to the provisions of this section, a taxpayer who retrofits an existing residence for the purpose of improving accessibility and providing universal visitability shall be allowed a credit against the taxes imposed under this chapter. The credit shall be for an amount equal to the lesser of Eight Thousand Dollars (\$8,000.00) or the amount of the value added by the design. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. The tax credit is earned in the taxable year in which the taxpayer retrofits the residence. Any tax credit claimed under this subparagraph (ii) but not used in a taxable year may be carried forward for five (5) consecutive years from the close of the taxable year in which the credit was earned.

(b) If the cumulative total amount of tax credits claimed by all taxpayers under this subsection (1) in a taxable year exceeds Five Hundred Fifty Thousand Dollars (\$550,000.00), the credits shall be reduced on a pro rata basis; however, the



48 reduced portion of the credit may be claimed in the next
49 succeeding taxable year, with such portion counting toward that
50 taxable year's cumulative total of credits.

51 (2) The Department of Revenue shall have all powers
52 necessary to implement and administer the provisions of this
53 section, and the Department of Revenue shall promulgate rules and
54 regulations, in accordance with the Mississippi Administrative
55 Procedures Law, necessary for the implementation of this section.

56 **SECTION 3.** Section 2 of this act shall be codified as a new
57 section in Chapter 7, Title 27, Mississippi Code of 1972.

58 **SECTION 4.** This act shall take effect and be in force from
59 and after January 1, 2018.

