
By: **Delegates Rosso, Conroy, Clagett, Love, Giannetti, Swain, Finifter,
Howard, Moe, Frush, D'Amato, Pitkin, Greenip, Rzepkowski, C. Davis,
Cryor, Patterson, Cadden, Pendergrass, and Leopold**

Introduced and read first time: February 1, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax - Credit for Retrofitting Home for Individuals with Disabilities**

3 FOR the purpose of allowing certain individuals to claim a State income tax credit for
4 certain costs incurred to retrofit a residence with certain accessibility features
5 for individuals with disabilities, subject to a certain limitation; prohibiting the
6 unused credit from being applied in succeeding taxable years; limiting the total
7 amount of the credits that the Department of Housing and Community
8 Development may approve for certain taxable years to certain amounts;
9 requiring the Department to approve a prorated credit for each applicant if the
10 total amount applied for exceeded the maximum that may be approved;
11 providing for applications to the Department for approval of the credit and
12 certification by the Department to taxpayers of approved credit amounts;
13 authorizing the Department to adopt regulations necessary for the
14 implementation of this Act; providing for the application of this Act; and
15 generally relating to a State income tax credit for costs incurred to retrofit a
16 residence with accessibility features for individuals with disabilities.

17 BY adding to
18 Article - Tax - General
19 Section 10-724
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 2001 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Tax - General**

25 10-724.

26 (A) IN THIS SECTION, "ACCESSIBILITY FEATURES" MEANS:

27 (1) A NO-STEP ENTRANCE ALLOWING ACCESS INTO A RESIDENCE;

1 (2) INTERIOR PASSAGE DOORS PROVIDING A 32 INCH WIDE CLEAR
2 OPENING;

3 (3) REINFORCEMENTS IN BATHROOM WALLS AND INSTALLATION OF
4 GRAB BARS AROUND A TOILET, TUB, OR SHOWER;

5 (4) LIGHT SWITCHES AND OUTLETS PLACED IN
6 WHEELCHAIR-ACCESSIBLE LOCATIONS; AND

7 (5) UNIVERSAL DESIGN FEATURES OR THOSE ACCESSIBILITY FEATURES
8 PRESCRIBED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
9 UNDER ARTICLE 83B, § 6-102 OF THE CODE.

10 (B) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
11 SUBSECTION, AN INDIVIDUAL WHOSE FEDERAL ADJUSTED GROSS INCOME FOR THE
12 TAXABLE YEAR DOES NOT EXCEED \$50,000, OR \$25,000 IN THE CASE OF A MARRIED
13 INDIVIDUAL FILING A SEPARATE RETURN, MAY CLAIM A CREDIT AGAINST THE STATE
14 INCOME TAX AS PROVIDED IN THIS SECTION FOR COSTS INCURRED TO RETROFIT OR
15 HIRE SOMEONE TO RETROFIT A RESIDENCE WITH ONE OR MORE ACCESSIBILITY
16 FEATURES NOT OTHERWISE REQUIRED BY LAW.

17 (2) (I) IF AN INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME FOR
18 THE TAXABLE YEAR EXCEEDS \$41,000, THE CREDIT OTHERWISE ALLOWED UNDER
19 THIS SECTION SHALL BE REDUCED BY 10% FOR EACH \$1,000 OR FRACTION OF \$1,000
20 BY WHICH THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME EXCEEDS \$41,000.

21 (II) IN THE CASE OF A MARRIED INDIVIDUAL FILING A SEPARATE
22 RETURN, IF THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME FOR THE
23 TAXABLE YEAR EXCEEDS \$20,500, THE CREDIT OTHERWISE ALLOWED UNDER THIS
24 SECTION SHALL BE REDUCED BY 10% FOR EACH \$500 OR FRACTION OF \$500 BY WHICH
25 THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME EXCEEDS \$20,500.

26 (C) (1) THE CREDIT ALLOWED UNDER THIS SECTION FOR ANY TAXABLE
27 YEAR MAY NOT EXCEED \$500 FOR ANY RETURN OR \$250 IN THE CASE OF A MARRIED
28 INDIVIDUAL FILING A SEPARATE RETURN.

29 (2) THE UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE YEAR MAY
30 NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

31 (D) (1) BY NOVEMBER 1 OF THE TAXABLE YEAR FOR WHICH THE CREDIT
32 UNDER THIS SECTION IS SOUGHT, AN INDIVIDUAL SHALL SUBMIT AN APPLICATION
33 TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR APPROVAL
34 OF THE CREDIT.

35 (2) (I) THE TOTAL AMOUNT OF CREDITS APPROVED BY THE
36 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MAY NOT EXCEED, FOR
37 ANY TAXABLE YEAR:

38 1. IN 2002, \$100,000;

