

1 **TAX CREDITS FOR EMPLOYING A HOMELESS PERSON**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Brian S. King**

5 Senate Sponsor: Curtis S. Bramble

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts tax credits for employing a homeless person.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ defines terms; ~~H→~~ **[and]** ~~←H~~

13 ▶ enacts nonrefundable corporate and individual income tax credits for employing a
14 homeless person ~~H→~~ **[:] ; and**

14a ▶ **provides an expiration date for claiming the tax credits.** ~~←H~~

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 This bill has retrospective operation for a taxable year beginning on or after January 1,
19 2013.

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **59-7-614.10**, Utah Code Annotated 1953

23 **59-10-1032**, Utah Code Annotated 1953

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **59-7-614.10** is enacted to read:

27 **59-7-614.10. Nonrefundable tax credit for hiring a homeless person.**



28 (1) As used in this section:

29 (a) "Continuously employed" means that beginning on or after January 1, 2013, a
 30 homeless person works ~~H~~→ **for compensation** ←~~H~~ for a corporation for at least 80 hours
 30a during each month of a
 31 six-month period that begins on the date the homeless person is hired by the corporation.

32 (b) "Homeless person" means an individual whose primary nighttime residence is a
 33 permanent housing, permanent supportive, or transitional facility.

34 (c) "Permanent housing, permanent supportive, or transitional facility" means a facility:

35 (i) located within the state;

36 (ii) that provides supervision of residents of the facility; and

37 (iii) (A) that is a publicly or privately operated shelter designed to provide temporary
 38 living accommodations, including a welfare hotel, congregate shelter, or transitional housing
 39 for the mentally ill, and that receives federal homeless assistance funding distributed by the
 40 United States Department of Housing and Urban Development; or

41 (B) that is an emergency shelter that receives homeless assistance funding from a
 42 county, city, or town.

43 (2) ~~H~~→ **[A]** **For a taxable year beginning on or after January 1, 2013, but beginning on**
 43a **or before December 31, 2017, a** ←~~H~~ corporation may claim a nonrefundable tax credit as provided
 43b in this section

44 against a tax under this chapter if the corporation hires a homeless person:

45 (a) on or after January 1, 2013;

46 (b) who resides in a permanent housing, permanent supportive, or transitional facility
 47 on the date the corporation hires the homeless person; and

48 (c) who is continuously employed by the corporation.

49 (3) A tax credit under this section is equal to:

50 (a) (i) \$500 for a homeless person who works for a corporation for at least 80 hours but
 51 fewer than 160 hours during each month of a six-month period that begins on the date the
 52 homeless person is hired by the corporation; and

53 (ii) (A) \$500 if the homeless person described in Subsection (3)(a)(i) works for the
 54 corporation for at least 80 hours but fewer than 160 hours during each month of an additional
 55 six-month period that begins on the day after the last day of the six-month period described in
 56 Subsection (3)(a)(i); or

57 (B) \$1000 if the homeless person described in Subsection (3)(a)(i) works for the
 58 corporation for 160 or more hours during each month of an additional six-month period that

90 supportive, or transitional facility on the date the corporation hired the homeless person; and
 91 (c) documentation establishing the hours and dates that the homeless person worked
 92 for the corporation.

93 (6) A corporation shall provide the information described in Subsection (5) to the
 94 commission at the request of the commission.

95 (7) A corporation may carry forward a tax credit under this section for a period that
 96 does not exceed the next five taxable years if:

97 (a) the corporation is allowed to claim a tax credit under this section for a taxable year;
 98 and

99 (b) the amount of the tax credit exceeds the corporation's tax liability under this chapter
 100 for that taxable year.

101 Section 2. Section **59-10-1032** is enacted to read:

102 **59-10-1032. Nonrefundable tax credit for hiring a homeless person.**

103 (1) As used in this section:

104 (a) "Continuously employed" means that beginning on or after January 1, 2013, a
 105 homeless person works ~~H~~→ **for compensation** ←~~H~~ for a claimant, estate, or trust for at least
 105a 80 hours during each month
 106 of a six-month period that begins on the date the homeless person is hired by the claimant,
 107 estate, or trust.

108 (b) "Homeless person" means an individual whose primary nighttime residence is a
 109 permanent housing, permanent supportive, or transitional facility.

110 (c) "Permanent housing, permanent supportive, or transitional facility" means a facility:

111 (i) located within the state;

112 (ii) that provides supervision of residents of the facility; and

113 (iii) (A) that is a publicly or privately operated shelter designed to provide temporary
 114 living accommodations, including a welfare hotel, congregate shelter, or transitional housing
 115 for the mentally ill, and that receives federal homeless assistance funding distributed by the
 116 United States Department of Housing and Urban Development; or

117 (B) that is an emergency shelter that receives homeless assistance funding from a
 118 county, city, or town.

119 (2) ~~H~~→ **[A]** **For a taxable year beginning on or after January 1, 2013, but beginning on**
 119a **or before December 31, 2017, a** ←~~H~~ claimant, estate, or trust may claim a nonrefundable tax credit
 119b as provided in this
 120 section against a tax under this chapter if the claimant, estate, or trust hires a homeless person: