

**Representative Gage Froerer** proposes the following substitute bill:

**SENIOR CITIZEN'S HOMEOWNER'S CREDIT**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gage Froerer**

Senate Sponsor: Wayne L. Niederhauser

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**LONG TITLE**

**General Description:**

This bill amends provisions in the Property Tax Act to increase the household income qualifying limits for both the homeowner's credit and the renter's credit.

**Highlighted Provisions:**

This bill:

- ▶ increases the household income qualifying limits for the homeowner's credit;
- ▶ increases the household income qualifying limits for the renter's credit; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2009.

**Utah Code Sections Affected:**

AMENDS:

**59-2-1208**, as last amended by Laws of Utah 2006, Chapter 363

**59-2-1209**, as last amended by Laws of Utah 2006, Chapter 363

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



26 Section 1. Section **59-2-1208** is amended to read:

27 **59-2-1208. Amount of homeowner's credit -- Cost-of-living adjustment --**

28 **Limitation -- General Fund as source of credit.**

29 (1) (a) Subject to Subsection (2), for calendar years beginning on or after January 1,  
 30 [~~2007~~] 2009, a claimant may claim a homeowner's credit that does not exceed the following  
 31 amounts:

If household income is	Homeowner's credit
\$0 -- [ <del>\$9,159</del> ] <u>\$9,640</u>	[ <del>\$798</del> ] <u>\$840</u>
[ <del>\$9,160</del> ] <u>\$9,641</u> -- [ <del>\$12,214</del> ] <u>\$12,856</u>	[ <del>\$696</del> ] <u>\$733</u>
[ <del>\$12,215</del> ] <u>\$12,857</u> -- [ <del>\$15,266</del> ] <u>\$16,068</u>	[ <del>\$597</del> ] <u>\$628</u>
[ <del>\$15,267</del> ] <u>\$16,069</u> -- [ <del>\$18,319</del> ] <u>\$19,281</u>	[ <del>\$447</del> ] <u>\$470</u>
[ <del>\$18,320</del> ] <u>\$19,282</u> -- [ <del>\$21,374</del> ] <u>\$22,497</u>	[ <del>\$348</del> ] <u>\$366</u>
[ <del>\$21,375</del> ] <u>\$22,498</u> -- [ <del>\$24,246</del> ] <u>\$25,520</u>	[ <del>\$199</del> ] <u>\$209</u>
[ <del>\$24,247</del> ] <u>\$25,521</u> -- [ <del>\$26,941</del> ] <u>\$28,356</u>	[ <del>\$98</del> ] <u>\$103</u>
<u>\$28,357</u> -- <u>\$33,000</u>	<u>\$50</u>

41 (b) (i) For calendar years beginning on or after January 1, [~~2008~~] 2010, the commission  
 42 shall increase or decrease the household income eligibility amounts and the credits under  
 43 Subsection (1)(a) by a percentage equal to the percentage difference between the consumer  
 44 price index for the preceding calendar year and the consumer price index for calendar year  
 45 [~~2006~~] 2008.

46 (ii) For purposes of Subsection (1)(b)(i), the commission shall calculate the consumer  
 47 price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

48 (2) An individual who is claimed as a personal exemption on another individual's  
 49 individual income tax return during any portion of a calendar year for which the individual  
 50 seeks to claim a homeowner's credit under this section may not receive the homeowner's credit.

51 (3) The homeowner's credit allowed by this section, and provided for in Section  
 52 59-2-1204, shall be derived from the General Fund and appropriate transfers made to effectuate  
 53 this credit.

54 Section 2. Section **59-2-1209** is amended to read:

55 **59-2-1209. Amount of renter's credit -- Cost-of-living adjustment -- Limitation --**

56 **General Fund as source of credit -- Maximum credit -- Renter's credit may be claimed**

57 **only for rent that does not constitute a rental assistance payment.**

58 (1) (a) Subject to Subsections (2) and (3), for calendar years beginning on or after  
 59 January 1, [~~2007~~] 2009, a claimant may claim a renter's credit for the previous calendar year  
 60 that does not exceed the following amounts:

61 If household income is	62 Percentage of rent allowed as a credit
63 \$0 -- [ <del>\$9,159</del> ] <u>\$9,640</u>	9.5%
64 [ <del>\$9,160</del> ] <u>\$9,641</u> -- [ <del>\$12,214</del> ] <u>12,856</u>	8.5%
65 [ <del>\$12,215</del> ] <u>\$12,857</u> -- [ <del>\$15,266</del> ] <u>\$16,068</u>	7.0%
66 [ <del>\$15,267</del> ] <u>\$16,069</u> -- [ <del>\$18,319</del> ] <u>\$19,281</u>	5.5%
67 [ <del>\$18,320</del> ] <u>\$19,282</u> -- [ <del>\$21,374</del> ] <u>\$22,497</u>	4.0%
68 [ <del>\$21,375</del> ] <u>\$22,498</u> -- [ <del>\$24,246</del> ] <u>\$25,520</u>	3.0%
69 [ <del>\$24,247</del> ] <u>\$25,521</u> -- [ <del>\$26,941</del> ] <u>\$28,356</u>	2.5%
70 <u>\$28,357</u> -- <u>\$33,000</u>	<u>1.25%</u>

71 (b) (i) For calendar years beginning on or after January 1, [~~2008~~] 2010, the commission  
 72 shall increase or decrease the household income eligibility amounts under Subsection (1)(a) by  
 73 a percentage equal to the percentage difference between the consumer price index for the  
 74 preceding calendar year and the consumer price index for calendar year [~~2006~~] 2008.

75 (ii) For purposes of Subsection (1)(b)(i), the commission shall calculate the consumer  
 76 price index as provided in Sections 1(f)(4) and 1(f)(5), Internal Revenue Code.

77 (2) A claimant may claim a renter's credit under this part only for rent that does not  
 78 constitute a rental assistance payment.

79 (3) An individual who is claimed as a personal exemption on another individual's  
 80 individual income tax return during any portion of a calendar year for which the individual  
 81 seeks to claim a renter's credit under this section may not receive a renter's credit.

82 (4) The renter's credit allowed by this section, and provided for in Section 59-2-1204,  
 83 shall be derived from the General Fund and appropriate transfers made to effectuate this credit.

84 (5) For calendar years beginning on or after January 1, [~~2007~~] 2009, a credit under this  
 85 section may not exceed the maximum amount allowed as a homeowner's credit for each  
 86 income bracket under Subsection 59-2-1208(1)(a).

87 **Section 3. Effective date.**

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This bill takes effect on January 1, 2009.