



28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

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

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

**59-2-1208. Amount of homeowner's credit -- Cost-of-living adjustment --  
Limitation -- General Fund as source of credit -- Dependent credit.**

(1) (a) Subject to ~~[Subsection]~~ Subsections (2) and (4), for calendar years beginning on or after January 1, 2007, a claimant may claim a homeowner's credit that does not exceed the following amounts:

If household income is	Homeowner's credit
\$0 -- \$9,159	\$798
\$9,160 -- \$12,214	\$696
\$12,215 -- \$15,266	\$597
\$15,267 -- \$18,319	\$447
\$18,320 -- \$21,374	\$348
\$21,375 -- \$24,246	\$199
\$24,247 -- \$26,941	\$98

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

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

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

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

(4) (a) Subject to Subsection (4)(b), for purposes of calculating a claimant's household income to determine the amount of the claimant's homeowner's credit under Subsection (1), a claimant's household income shall be decreased by \$1,000 for each dependent with respect to

59 whom a claimant is eligible to make a deduction as allowed as a personal exemption deduction  
 60 on the claimant's federal individual income tax return for the taxable year for which the  
 61 household income is calculated.

62 (b) For purposes of Subsection (4)(a):

63 (i) the maximum amount a claimant's household income may be decreased is \$2,000;  
 64 and

65 (ii) "dependent" does not include the claimant or the claimant's spouse.

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

67 **59-2-1209. Amount of renter's credit -- Cost-of-living adjustment -- Limitation --**  
 68 **General Fund as source of credit -- Maximum credit -- Renter's credit may be claimed**  
 69 **only for rent that does not constitute a rental assistance payment -- Dependent credit.**

70 (1) (a) Subject to Subsections (2) [~~and~~], (3), and (6), for calendar years beginning on or  
 71 after January 1, 2007, a claimant may claim a renter's credit for the previous calendar year that  
 72 does not exceed the following amounts:

If household income is	Percentage of rent allowed as a credit
\$0 -- \$9,159	9.5%
\$9,160 -- \$12,214	8.5%
\$12,215 -- \$15,266	7.0%
\$15,267 -- \$18,319	5.5%
\$18,320 -- \$21,374	4.0%
\$21,375 -- \$24,246	3.0%
\$24,247 -- \$26,941	2.5%

82 (b) (i) For calendar years beginning on or after January 1, 2008, the commission shall  
 83 increase or decrease the household income eligibility amounts under Subsection (1)(a) by a  
 84 percentage equal to the percentage difference between the consumer price index for the  
 85 preceding calendar year and the consumer price index for calendar year 2006.

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

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

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

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

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

98 (6) (a) Subject to Subsection (6)(b), for purposes of calculating a claimant's household  
99 income to determine the amount of the claimant's renter's credit under Subsection (1), a  
100 claimant's household income shall be decreased by \$1,000 for each dependent with respect to  
101 whom a claimant is eligible to make a deduction as allowed as a personal exemption deduction  
102 on the claimant's federal individual income tax return for the taxable year for which the  
103 household income is calculated.

104 (b) For purposes of Subsection (6)(a):

105 (i) the maximum amount a claimant's household income may be decreased is \$2,000;

106 and

107 (ii) "dependent" does not include the claimant or the claimant's spouse.

108 Section 3. **Effective date.**

109 This bill takes effect on January 1, 2010.

---

---

**Legislative Review Note**  
as of 2-25-09 2:03 PM

**Office of Legislative Research and General Counsel**

---

---

**H.B. 378 - Circuit Breaker Amendments**

**Fiscal Note**

2009 General Session  
State of Utah

---

---

**State Impact**

Enactment of this bill could decrease the General Fund by \$121,300 in FY 2010 and by \$124,900 in FY 2011.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
General Fund	\$0	\$0	\$0	\$0	(\$121,300)	(\$124,900)
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$121,300)</b>	<b>(\$124,900)</b>

---

---

**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses, or local governments. Some lower income taxpayers could receive a reduction in property taxes owed.