

LEAD ABATEMENT TAX CREDIT

House Bill 5126

Sponsor: Rep. Jerry O. Kooiman

1st Committee: Tax Policy

2nd Committee: Health Policy

Complete to 1-23-04

A SUMMARY OF HOUSE BILL 5126 AS INTRODUCED 10-2-03

The bill would amend the Single Business Tax Act to provide a credit against the tax equal to one-quarter of the cost of lead abatement to a residential dwelling located in the state and owned by the taxpayer.

The credit would be non-refundable, although any amount that exceeded the taxpayer's tax liability could be carried forward to offset the tax liability in the following year, for a period of 10 years or until the excess credit was used up, whichever occurred first.

The term "lead abatement" would refer to a measure or set of measures designed to permanently eliminate lead-based paint hazards by the removal of lead-based paint and lead-contaminated dust, the permanent enclosure or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, the removal or covering of lead-contaminated soil, and all preparations, cleanup, disposal, and post-abatement clearance testing associated with those measures.

The term would not include renovation, remodeling, landscaping, or other activity no designed to permanently eliminate lead-based paint hazards but instead designed to repair, restore, or remodel a structure, even though the activity could incidentally result in a reduction or elimination of a lead-based paint hazard. The term also would not include an interim control, operation, or maintenance activity, or other measure or activity designed to temporarily, but not permanently, reduce or eliminate a lead-based paint hazard.

MCL 208.37e

Analyst: M. Wolf

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