

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 58.1-339.7 of the Code of Virginia, relating to livable home tax credit.*

3 [H 1938]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 58.1-339.7 of the Code of Virginia is amended and reenacted as follows:**

7 § 58.1-339.7. Livable Home Tax Credit.

8 A. For taxable years beginning on and after January 1, 2000, any taxpayer who purchases a new  
9 residence or retrofits or hires someone to retrofit an existing residence, provided that such new residence  
10 or the retrofitting of such existing residence is designed to improve accessibility, provide universal  
11 visitability, and meets the eligibility requirements established by guidelines developed by the Department  
12 of Housing and Community Development, shall be allowed a credit against the tax imposed pursuant to  
13 § 58.1-320 of an amount equal to \$500, *or \$2,000 for taxable years beginning on or after January 1,*  
14 *2010, for such new residence or twenty-five* 25 percent of the total amount spent for the retrofitting of  
15 such existing residence. *For taxable years beginning on or after January 1, 2010, the 25 percent shall*  
16 *increase to 50 percent.* The amount of the credit allowed for the retrofitting of an existing residence  
17 shall not exceed \$500, *or \$2,000 for taxable years beginning on or after January 1, 2010.* Such a credit  
18 shall require application by the taxpayer as provided in subsection C. For purposes of this section, the  
19 purchase of a new residence means a transaction involving the first sale of a residence or dwelling.

20 B. In no event, however, shall the credit allowed under subsection A exceed the total amount of tax  
21 imposed by this chapter in the year in which such purchase or retrofitting is completed. If the amount of  
22 the credit exceeds the taxpayer's tax liability for such tax year, the amount that exceeds such liability  
23 may be carried over for credit by the taxpayer in the next five taxable years until the total amount of  
24 the tax credit has been taken.

25 C. Eligible taxpayers shall apply for the credit by making application to the Department of Housing  
26 and Community Development. The Department of Housing and Community Development shall issue a  
27 certification for an approved application to the taxpayer. The taxpayer shall attach the certification to the  
28 individual income tax return. The total amount of tax credits granted under this section for any taxable  
29 year shall not exceed \$1 million. In the event applications for the tax credit exceed the \$1 million  
30 amount, the Department of Housing and Community Development shall apportion the money by  
31 dividing the \$1 million by the total amount of tax credits applied for to determine the percentage each  
32 taxpayer shall receive.