

## **131st MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2023

**Legislative Document** 

No. 149

S.P. 78

In Senate, January 10, 2023

An Act to Amend the Definition of "Homestead" Under the Homestead Property Tax Exemption Laws

Reference to the Committee on Taxation suggested and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator BAILEY of York. Cosponsored by Representative TERRY of Gorham and Senators: BALDACCI of Penobscot, RAFFERTY of York.

1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 36 MRSA §681, sub-§2, as amended by PL 2005, c. 647, §2 and affected by §5, is further amended to read:
4 5 6 7 8 9	<b>2. Homestead.</b> "Homestead" means any residential property, including cooperative property, in this State assessed as real property owned by an applicant or held in a revocable living trust for the benefit of the applicant and occupied by the applicant as the applicant's permanent residence or owned by a cooperative housing corporation and occupied as a permanent residence by a resident who is a qualifying shareholder. A "homestead" does not include any real property used solely for commercial purposes.
10	SUMMARY
11 12 13	Current law provides that one of the qualifications of a homestead for the homestead property tax exemption is that real property held in trust must be in a revocable living trust. This bill removes the requirement that the living trust be revocable.