

2018 -- H 7890

=====
LC004761
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

—————
A N A C T

RELATING TO TAXATION -- HISTORIC RESIDENCE--TAX CREDIT

Introduced By: Representatives McEntee, Fogarty, O'Brien, Tanzi, and Carson

Date Introduced: February 28, 2018

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-4.1-2 of the General Laws in Chapter 44-4.1 entitled "Historic
2 Residence - Tax Credit" is hereby amended to read as follows:

3 **44-4.1-2. Definitions.**

4 As used in this chapter:

5 (1) "Certified maintenance or rehabilitation" means any maintenance or rehabilitation of a
6 historic residence consistent with the character of that property or district as determined in
7 accordance with commission guidelines.

8 (2) "Commission" means the ~~Rhode Island historical preservation and heritage~~
9 ~~commission created pursuant to § 42-45-2, or for purposes of the historic commercial structure~~
10 ~~property tax reduction in Warren, the local historic district commission in Warren~~ [local historic](#)
11 [district commission created by the municipal city or town council pursuant § 45-24.1-3.](#)

12 (3) "Historic residence" means a historic residential property which is not of a character
13 subject to federal depreciation allowance pursuant to 26 U.S.C. § 167 or 168 and which is:

14 (i) Listed individually in the state register of historic places; or

15 (ii) Located in a district listed in the state register of historic places and certified by the
16 commission as contributing to the historic character of that district; or

17 (iii) Located in a local historic district zone as designated by a city or town under chapter
18 24.1 of title 45 and certified by the commission as contributing to the character of that historic
19 district zone; or

1 (iv) Designated by a city or town as an individual structure subject to regulation by a
2 local historic district commission under chapter 24.1 of title 45.

3 (4) "Historic Commercial Structure" means: a historic structure in Warren utilized for
4 commercial purposes, whole or in part, and which is:

5 (i) Listed individually in the state register of historic places; or

6 (ii) Located in a district listed in the state register of historic places and certified by the
7 commission as contributing to the historic character of that district; or

8 (iii) Located in a local historic district zone as designated by the town under chapter 24.1
9 of title 45 and certified by the commission as contributing to the character of that historic district
10 zone; or

11 (iv) Designated by the town as an individual structure subject to regulation by a local
12 historic district commission under chapter 24.1 of title 45.

13 SECTION 2. This act shall take effect upon passage.

=====
LC004761
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION -- HISTORIC RESIDENCE--TAX CREDIT

1 This act would amend the definition of the term "commission" for purposes of the
2 historic residence tax credit to mean the local historic district commission created by the city or
3 town council, and not the state historical preservation and heritage commission.

4 This act would take effect upon passage.

=====
LC004761
=====