

2010 -- S 2825

LC02451

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO TAXATION

Introduced By: Senators Connors, and E O'Neill

Date Introduced: April 29, 2010

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 44-3 of the General Laws entitled "Property Subject to Taxation" is  
2 hereby amended by adding thereto the following section:

3 **44-3-15.5. Lincoln - Tax credit for persons over the age of 65 years. –**  
4 Notwithstanding any provisions of this chapter or any provision of the general or public laws to  
5 the contrary, the town council of the town of Lincoln may, by ordinance, provide that any real  
6 property owned and occupied for a period of five (5) years or more by any person over the age of  
7 sixty five (65) shall be eligible for a credit against their owner occupied residential property in an  
8 amount calculated in conformity with the following guide lines.

9 (1) Measurement of Income. – The income to be used shall be as has or would be  
10 reported on State Form RI-1040H (RI Property Tax Relief Claim) as “Total 20XX Household  
11 Income.”

12 (2) Calculation of Credit. – The annual credit to be applied shall be as determined by the  
13 following income thresholds and credit amounts:

Total Household	Age	Age	Age	Age
	65 to 70	71 to 75	76 to 80	81 and Over
\$25,000 and above	\$600	\$600	\$600	\$600
\$20,000 to \$24,999	\$700	\$800	\$900	\$1,000
\$17,500 to \$19,999	\$800	\$900	\$1,000	\$1,100
\$15,000 to \$17,499	\$900	\$1,000	\$1,100	\$1,200

1           \$14,999 and below      \$1,000           \$1,100           \$1,200           \$1,300

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3           (b) In order to qualify for this credit, the applicant shall be a town resident who shall own  
4 and reside on the real estate where the credit is to be applied as of the time of the application for  
5 the credit and also for a period of not less than five (5) calendar years immediately preceding the  
6 application.

7           (c) In order to qualify for the credit established by this section, a person must be sixty-  
8 five (65) years of age on or before December 31 of the year preceding the year in which the tax is  
9 due and payable.

10          (d) The credit provided by this section shall be applied to the tax roll by the tax assessor  
11 of the town of Lincoln, and the tax assessor shall require that each person seeking such credit  
12 shall apply on or before April 15 of each year, except for the year of enactment, that date to be  
13 determined by the tax assessor. Such application shall be in a form prescribed by the tax assessor.

14          (e) This credit shall be in addition to any and all other exemptions from taxation to which  
15 such person may be otherwise entitled; provided, however, that only one credit shall be permitted  
16 for each parcel of property whether or not there be one or more owners eligible for such credit.

17          (f) When property is held in trust, the settler, beneficiary, and trust are not eligible for the  
18 additional credit provided by this section. A trustee-occupier of the residence would be eligible if  
19 all other requirements are met.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO TAXATION

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1           This act would allow the Lincoln town council to provide by ordinance for a tax credit for  
2 property owners over the age of 65 years.

3           This act would take effect upon passage.

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