

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1086

H.P. 739

House of Representatives, March 1, 2005

An Act To Increase the Real Estate Transfer Tax on Out-of-state Purchasers

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LERMAN of Augusta.
Cosponsored by Senator: PERRY of Penobscot.

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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 36 MRSA §4641-A, sub-§1-A is enacted to read:

1-A. Nonresident grantee. In addition to the tax imposed pursuant to subsection 1, if the grantee is not a resident of the State, then the grantee shall pay an additional tax of \$2.20 for each \$500 or fractional part of \$500 of the value of the property transferred. For purposes of determining whether a grantee is a resident of the State, the register of deeds shall consider the following:

A. Formal declarations of the grantee or any other individual;

B. Informal statements of the grantee or any other individual;

C. The place of employment of the grantee;

D. The previous permanent residence of the grantee and the date the previous permanent residency was terminated;

E. The place where the grantee is registered to vote;

F. The place of issuance to the grantee of a driver's license and the address listed on the license;

G. The place of issuance of a certificate of registration of a motor vehicle owned by the grantee and the address listed on the certificate;

H. The residence claimed on any income tax return filed by the grantee;

I. The place of payment of a motor vehicle excise tax by the grantee; or

J. A declaration by the grantee of permanent residence registered with any branch of the Armed Forces of the United States.

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SUMMARY

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This bill levies an additional real estate transfer tax of \$2.20 per \$500 of the value of the property being transferred if the buyer is not a Maine resident; the tax must be paid by the buyer. This bill also specifies guidelines the register of deeds may use to determine residency of the buyer.