

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 874

H.P. 623

House of Representatives, March 7, 2017

**An Act To Expand the Authority of Municipalities To Implement a
Property Tax Deferral Program**

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DENNO of Cumberland.
Cosponsored by Senator BREEN of Cumberland and
Representatives: BAILEY of Saco, CARDONE of Bangor, HANDY of Lewiston, TUELL of
East Machias, VACHON of Scarborough.

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

2 **Sec. 1. 36 MRSA §6271, sub-§2**, as enacted by PL 2009, c. 489, §5, is amended
3 to read:

4 **2. Authority.** The legislative body of a municipality may by ordinance adopt a
5 property tax deferral program for ~~senior citizens~~ eligible homeowners, referred to in this
6 section as "the program." ~~Upon application by a taxpayer, a municipality may defer~~
7 ~~property taxes on property if the following conditions are met:~~ For purposes of this
8 subsection, "eligible homeowner" means an individual who occupies an eligible
9 homestead in the municipality and is determined by the municipal ordinance as eligible
10 based on age, income or assets.

11 ~~A. The property is an eligible homestead where the taxpayer has resided for at least~~
12 ~~10 years prior to application;~~

13 ~~B. The taxpayer is an owner of the eligible homestead, is at least 70 years of age on~~
14 ~~April 1st of the first year of eligibility and occupies the eligible homestead; and~~

15 ~~C. The household income of the taxpayer does not exceed 300% of the federal~~
16 ~~poverty level.~~

17 An application, information submitted in support of an application and files and
18 communications relating to an application for deferral of taxes under the program are
19 confidential. Hearings and proceedings held by a municipality on an application must be
20 held in executive session unless otherwise requested by the applicant. Nothing in this
21 paragraph applies to the recording of liens or lists under subsection 3 or any enforcement
22 proceedings undertaken by the municipality pursuant to this chapter or other applicable
23 law.

24 The municipality shall make available upon request the most recent list of tax-deferred
25 properties of that municipality required to be filed under subsection 3. The municipality
26 may publish and release as public information statistical summaries concerning the
27 program as long as the release of the information does not jeopardize the confidentiality
28 of individually identifiable information.

29 **Sec. 2. 36 MRSA §6271, sub-§7**, as enacted by PL 2009, c. 489, §5, is amended
30 to read:

31 **7. Election to continue deferral.** If one of the events listed in subsection 6 occurs,
32 and the ownership of the eligible homestead is transferred to another member of the same
33 household, the transferee may apply to the municipality for continuation of the deferral of
34 taxes if the transferee ~~meets the conditions in subsection 2, paragraphs B and C.:~~

35 A. Occupies the eligible homestead; and

36 B. Is determined by municipal ordinance as eligible based on age, income or assets.

37 **Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the
38 Maine Revised Statutes, Title 36, chapter 908-A, in the chapter headnote, the words
39 "municipal property tax deferral for senior citizens" are amended to read "municipal

1 property tax deferral" and the Revisor of Statutes shall implement this revision when
2 updating, publishing or republishing the statutes.

3

SUMMARY

4 This bill expands the current authority for municipalities to adopt a property tax
5 deferral program for persons who are 70 years of age or older to include other individuals
6 based on factors such as age, income or assets.