

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 349

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H.P. 275

House of Representatives, January 24, 2019

**An Act To Extend the Refundability of the Educational Opportunity  
Tax Credit to Students in the Behavioral Health Field**

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Reference to the Committee on Taxation suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative BEEBE-CENTER of Rockland.  
Cosponsored by Senator VITELLI of Sagadahoc and  
Representatives: AUSTIN of Skowhegan, BABBIDGE of Kennebunk, COREY of Windham,  
DENK of Kennebunk, DENNO of Cumberland, DOUDERA of Camden, Senators: BREEN of  
Cumberland, MIRAMANT of Knox.

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

2 **Sec. 1. 36 MRSA §5217-D, sub-§3**, as amended by PL 2017, c. 170, Pt. D, §8, is  
3 further amended to read:

4 **3. Calculation of the credit; qualified individuals.** Subject to subsection 2 and  
5 except as provided in this subsection, the credit with respect to a qualified individual is  
6 equal to the amount determined under paragraph A or paragraph B, whichever is less,  
7 multiplied by the proration factor:

8 A. The benchmark loan payment multiplied by the number of months during the  
9 taxable year in which the taxpayer made loan payments; or

10 B. The monthly loan payment amount multiplied by the number of months during  
11 the taxable year in which the taxpayer made loan payments.

12 The credit under this subsection for a qualified individual under subsection 1, paragraph  
13 G, subparagraph (1), division (a) who transferred to an accredited Maine community  
14 college, college or university from an accredited non-Maine community college, college  
15 or university after December 31, 2012 but before January 1, 2016 and who earned no  
16 more than 30 credit hours of course work toward the degree at an accredited non-Maine  
17 community college, college or university is equal to 50% of the amount otherwise  
18 determined under this section in the case of an associate degree and equal to 75% of the  
19 amount otherwise determined under this section in the case of a bachelor's degree.

20 Notwithstanding subsection 2, paragraph C, the credit under this subsection is refundable  
21 to the extent the credit is based on loans included in the financial aid package acquired to  
22 obtain a bachelor's degree or associate degree in science, technology, engineering or  
23 mathematics or for tax years beginning on or after January 1, 2019 to obtain a bachelor's  
24 degree or associate degree in a behavioral health field. For tax years beginning on or  
25 after January 1, 2016, the credit under this subsection is refundable to the extent the credit  
26 is based on loans included in the financial aid package acquired to obtain an associate  
27 degree.

28 For purposes of this subsection, the proration factor is the amount derived by dividing the  
29 total number of academic credit hours earned for an associate, bachelor's or graduate  
30 degree after December 31, 2007 by the total number of academic credit hours earned for  
31 the associate, bachelor's or graduate degree.

32 **SUMMARY**

33 This bill provides that students receiving bachelor's degrees or associate degrees in a  
34 behavioral health field are entitled to a refundable income tax credit for certain education  
35 loans in the same manner as students receiving degrees in science, technology,  
36 engineering or mathematics.