

2019 -- H 6139

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO TAXATION -- HISTORIC PRESERVATION TAX CREDITS

Introduced By: Representatives Abney, and Ruggiero

Date Introduced: May 22, 2019

Referred To: House Finance

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-33.6-7 of the General Laws in Chapter 44-33.6 entitled "Historic
2 Preservation Tax Credits 2013" is hereby amended to read as follows:

3 **44-33.6-7. Timing and reapplication.**

4 (a) Taxpayers shall have twelve (12) months from the approval of Part 2 application to
5 commence substantial construction activities related to the subject substantial rehabilitation.
6 Upon commencing substantial construction activities, the taxpayer shall submit an affidavit of
7 commencement of substantial construction to the commission, together with evidence of such
8 requirements having been satisfied. Furthermore, after commencement of substantial construction
9 activities, no project shall remain idle prior to completion for a period of time exceeding six (6)
10 months. In the event that a taxpayer does not commence substantial construction activities within
11 twelve (12) months from the approval of Part 2 application, or in the event that a project remains
12 idle prior to completion for a period of time exceeding six (6) months, the subject taxpayer shall
13 forfeit all fees paid prior to such date and its then-current contract for tax credits shall be deemed
14 null and void, and shall terminate without need for further action or documentation. Upon any
15 such forfeiture and termination, a taxpayer may re-apply for tax credits pursuant to this chapter,
16 however, notwithstanding anything contained herein to the contrary, one hundred percent (100%)
17 of the fees required shall be paid upon reapplication and such fees shall be non-refundable.
18 Additionally, any taxpayer reapplying for tax credits pursuant to this § 44-33.6-7 shall be required
19 to submit evidence with its application establishing the reason for delay in commencement or the

1 project sitting idle, as the case may be, and provide evidence, reasonably satisfactory to the
2 commission, that such condition or event causing same has been resolved. All taxpayers shall
3 submit a reasonably detailed project timeline to the commission together with the Part 2
4 application. The provisions of this section shall be further detailed and incorporated into the form
5 of contract for tax credits used in connection with this chapter.

6 [\(b\) Notwithstanding any other provision of law to the contrary, projects that have been](#)
7 [approved for historic preservation tax credits and have been funded through the cultural arts and](#)
8 [the economy grant program, as enacted in chapter 145 of the 2014 Pub. L., and whose tax credits](#)
9 [expire on December 31, 2019, shall remain in full force and effect until December 31, 2022.](#)

10 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 -- HISTORIC PRESERVATION TAX CREDITS

1 This act would extend the use of historic tax credits for three (3) years until December
2 31, 2022, for all projects which have been funded through the cultural arts and the economy grant
3 program, as enacted in chapter 145 of the 2014 Pub. L., and which would have expired on
4 December 31, 2019.

5 This act would take effect upon passage.

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