

SENATE BILL No. 284

April 6, 1989, Introduced by Senator FAXON and referred to the Committee on Finance.

A bill to amend Act No. 281 of the Public Acts of 1967, entitled
"Income tax act of 1967,"
as amended, being sections 206.1 to 206.532 of the Michigan Compiled Laws, by adding section 264.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 281 of the Public Acts of 1967, as
2 amended, being sections 206.1 to 206.532 of the Michigan Compiled
3 Laws, is amended by adding section 264 to read as follows:

4 SEC. 264. (1) A TAXPAYER OTHER THAN AN ESTATE OR A TRUST
5 MAY CLAIM A CREDIT IN AN AMOUNT PERMITTED BY THIS SECTION AGAINST
6 THE TAX IMPOSED BY THIS ACT FOR THE TAXABLE YEAR FOR THE FOLLOW-
7 ING EXPENDITURES BY THE TAXPAYER FOR THE CARE OF A SENIOR
8 CITIZEN, AS DEFINED IN SECTION 514, DIAGNOSED OR IDENTIFIED AS
9 HAVING ALZHEIMER'S DISEASE OR A RELATED DISORDER:

1 (A) PERSONAL CARE SERVICES RENDERED BY A THIRD PARTY.

2 (B) MEDICINE OR PHYSICAL AIDS PRESCRIBED BY A PHYSICIAN AND
3 NOT REIMBURSED.

4 (C) RESPITE CARE FOR NOT TO EXCEED 14 DAYS IN THE TAX YEAR.

5 (D) FOOD, CLOTHING, AND TRANSPORTATION.

6 (E) RENOVATION AND ADAPTATION OF THE TAXPAYER'S HOMESTEAD TO
7 MEET THE SENIOR CITIZEN'S PHYSICAL OR MEDICAL NEEDS.

8 (2) THE TOTAL CREDIT PROVIDED BY THIS SECTION FOR A TAXABLE
9 YEAR FOR EXPENDITURES SPECIFIED IN SUBSECTION (1)(A) TO (D) SHALL
10 NOT EXCEED THE FOLLOWING:

11 (A) FOR A TAXPAYER WHOSE HOUSEHOLD INCOME IS \$10,000.00 OR
12 LESS, \$1,000.00.

13 (B) FOR A TAXPAYER WHOSE HOUSEHOLD INCOME IS MORE THAN
14 \$10,000.00 BUT NOT MORE THAN \$20,000.00, \$750.00.

15 (C) FOR A TAXPAYER WHOSE HOUSEHOLD INCOME IS MORE THAN
16 \$20,000.00, \$500.00.

17 (3) THE CREDIT PROVIDED FOR AN EXPENDITURE SPECIFIED IN SUB-
18 SECTION (1)(E) SHALL BE AN ADDITIONAL 1-TIME CREDIT THAT SHALL
19 NOT EXCEED \$500.00.

20 (4) FOR A RETURN OF LESS THAN 12 MONTHS THE MAXIMUM CREDIT
21 ALLOWED UNDER SUBSECTION (2) SHALL BE REDUCED PROPORTIONATELY.

22 (5) IN THE CASE OF A HUSBAND OR WIFE WHO FILES A SEPARATE
23 RETURN, THE ENTIRE AMOUNT OF THE CREDIT MAY BE TAKEN BY 1 SPOUSE
24 OR THE AMOUNT OF THE CREDIT MAY BE EQUALLY DIVIDED BETWEEN THEM.

25 (6) IF THE CREDIT ALLOWED UNDER THIS SECTION EXCEEDS THE TAX
26 LIABILITY OF THE TAXPAYER FOR THE TAXABLE YEAR, THE EXCESS SHALL
27 BE REFUNDED TO THE TAXPAYER.

1 (7) AS USED IN THIS SECTION:

2 (A) "PERSONAL CARE SERVICE" MEANS A TASK THAT MEETS THE
3 PHYSICAL OR MENTAL REQUIREMENTS OF AN INDIVIDUAL WHO CANNOT COM-
4 PLETE THESE REQUIREMENTS WITHOUT ASSISTANCE OR SUPERVISION. THE
5 TASKS MAY INCLUDE, BUT ARE NOT LIMITED TO, THOSE RELATED TO MEDI-
6 CAL HEALTH, SAFETY, NUTRITION, HYGIENE, HOMEMAKING, AND OTHER
7 ACTIVITIES OF DAILY LIVING.

8 (B) "RELATED DISORDER" MEANS AN IRREVERSIBLE BRAIN DISORDER
9 THAT RESULTS IN THE MANIFESTATIONS OF SYMPTOMS AND SIGNS INCLUD-
10 ING, BUT NOT LIMITED TO, MEMORY LOSS, APHASIA, BECOMING LOST OR
11 DISORIENTED, CONFUSION, AND AGITATION WITH THE POTENTIAL FOR COM-
12 BATIVENESS AND INCONTINENCE. RELATED DISORDER INCLUDES, BUT IS
13 NOT LIMITED TO, MULTI-INFARCT DEMENTIA, HUNTINGTON'S DISEASE, AND
14 PARKINSON'S DISEASE.