111TH CONGRESS 2D SESSION

H. R. 4701

To amend the Internal Revenue Code of 1986 to provide relief to certain married couples who would otherwise be ineligible for the first-time homebuyer credit.

IN THE HOUSE OF REPRESENTATIVES

February 25, 2010

Mr. Engel introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide relief to certain married couples who would otherwise be ineligible for the first-time homebuyer credit.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. MARRIAGE RELIEF FOR FIRST-TIME HOME-
- 4 BUYER CREDIT.
- 5 (a) In General.—Subsection (c) of section 36 of the
- 6 Internal Revenue Code of 1986 is amended by adding at
- 7 the end the following new paragraph:
- 8 "(7) Special rules for married individ-
- 9 UALS.—

1	"(A) In General.—In the case of married
2	individuals filing a joint return—
3	"(i) one of whom is a first-time
4	homebuying spouse and one of whom is an
5	ineligible spouse, such individuals shall be
6	treated as first-time homebuyers and sub-
7	section (b)(1)(A) shall be applied by sub-
8	stituting '\$4,000' for '\$8,000',
9	"(ii) one of whom is a long-time
10	homeowning spouse and one of whom is an
11	ineligible spouse, such individuals shall be
12	treated as being long-time residents and
13	subsection (b)(1)(D) shall be applied by
14	substituting '\$3,250' for '\$6,500',
15	"(iii) one of whom is a first-time
16	homebuying spouse and one of whom is ϵ
17	long-time homeowning spouse, such indi-
18	viduals shall be treated as long-time resi-
19	dents, and
20	"(iv) each of whom is a long-time
21	homeowning spouse, such individuals shall
22	be treated as long-time residents.
23	"(B) Definitions and special rule.—
24	For purposes of this paragraph—

1	"(i) First-time Homebuying
2	SPOUSE.—The term 'first-time homebuying
3	spouse' means a married individual who
4	would, without regard to such individual's
5	spouse and this paragraph, be treated as a
6	first-time homebuyer under this section
7	and other than by reason of paragraph (6).
8	"(ii) Long-time homeowning
9	SPOUSE.—The term 'long-time
10	homeowning spouse' means a married indi-
11	vidual who would, without regard to such
12	individual's spouse and this paragraph, be
13	treated as a long-time resident.
14	"(iii) Ineligible spouse.—The term
15	'ineligible spouse' means a married indi-
16	vidual who would, without regard to such
17	individual's spouse and this paragraph, not
18	be not treated as a first-time homebuyer or
19	long-time resident under this section.
20	"(iv) Long-time resident.—The
21	term 'long-time resident' means a taxpayer
22	to whom a credit under subsection (a) is
23	allowed by reason of paragraph (6).".

- 1 (b) Effective Date.—The amendment made by
- 2 this section shall apply to residences purchased after the

3 date of the enactment of this Act.

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