

**§5219-SS. Dependent exemption tax credit**

**1. Resident taxpayer; tax years beginning before 2026.** For tax years beginning on or after January 1, 2018 and before January 1, 2026, a resident individual is allowed a credit against the tax otherwise due under this Part equal to \$300 for each qualifying child and dependent of the taxpayer for whom the taxpayer was eligible to claim the federal child tax credit pursuant to the Code, Section 24 for the same taxable year.

[PL 2023, c. 412, Pt. ZZZ, §6 (AMD).]

**1-A. Resident taxpayer; tax years beginning 2026 or after.** For tax years beginning on or after January 1, 2026, a resident individual is allowed a credit against the tax otherwise due under this Part equal to \$300 for each dependent of the taxpayer for whom the taxpayer was eligible to claim the federal personal exemption pursuant to the Code, Section 151 in an amount greater than \$0 for the same taxable year.

[PL 2023, c. 412, Pt. ZZZ, §6 (NEW).]

**2. Nonresident taxpayer; tax years beginning before 2026.** For tax years beginning on or after January 1, 2018 and before January 1, 2026, a nonresident individual is allowed a credit against the tax otherwise due under this Part equal to \$300 for each qualifying child and dependent of the taxpayer for whom the taxpayer was eligible to claim the federal child tax credit pursuant to the Code, Section 24 for the same taxable year, multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income as modified by section 5122.

[PL 2023, c. 412, Pt. ZZZ, §6 (AMD).]

**2-A. Nonresident taxpayer; tax years beginning 2026 or after.** For tax years beginning on or after January 1, 2026, a nonresident individual is allowed a credit against the tax otherwise due under this Part equal to \$300 for each dependent of the taxpayer for whom the taxpayer was eligible to claim the federal personal exemption pursuant to the Code, Section 151 in an amount greater than \$0 for the same taxable year, multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income as modified by section 5122.

[PL 2023, c. 412, Pt. ZZZ, §6 (NEW).]

**3. Part-year resident taxpayer; tax years beginning before 2026.** For tax years beginning on or after January 1, 2018 and before January 1, 2026, an individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part equal to \$300 for each qualifying child and dependent of the taxpayer for whom the taxpayer was eligible to claim the federal child tax credit pursuant to the Code, Section 24 for the same taxable year, multiplied by a fraction, the numerator of which is the individual's Maine adjusted gross income, as defined in, section 5102, subsection 1-C, paragraph A, for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income as modified by section 5122.

[PL 2023, c. 412, Pt. ZZZ, §6 (AMD).]

**3-A. Part-year resident taxpayer; tax years beginning 2026 or after.** For tax years beginning on or after January 1, 2026, an individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part equal to \$300 for each dependent of the taxpayer for whom the taxpayer was eligible to claim the federal personal exemption pursuant to the Code, Section 151 in an amount greater than \$0 for the same taxable year, multiplied by a fraction, the numerator of which is the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph A, for that portion of the taxable year during which the

individual was a resident plus the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income as modified by section 5122.

[PL 2023, c. 412, Pt. ZZZ, §6 (NEW).]

**4. Refundability; phase-out.** For tax years beginning before January 1, 2024, the credit allowed by this section may not reduce the tax otherwise due under this Part to less than zero. For tax years beginning on or after January 1, 2024, the credit allowed under subsections 1, 1-A, 3 and 3-A is refundable. The amount of the credit allowed by this section must be reduced, but not below zero, by \$7.50 for each \$1,000 or fraction thereof by which the taxpayer's Maine adjusted gross income exceeds \$400,000 in the case of a joint return and \$200,000 in any other case.

[PL 2023, c. 412, Pt. ZZZ, §6 (AMD).]

#### SECTION HISTORY

PL 2017, c. 474, Pt. B, §17 (NEW). PL 2023, c. 412, Pt. ZZZ, §6 (AMD).

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