

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 a
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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