

111TH CONGRESS
2D SESSION

H. R. 4713

To amend the Internal Revenue Code of 1986 to allow the first-time homebuyer credit in the case of joint returns of long-time residents where only 1 spouse meets the ownership and use requirements.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2010

Ms. MOORE of Wisconsin (for herself, Mr. THOMPSON of Mississippi, and Mr. LOEBSACK) 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 allow the first-time homebuyer credit in the case of joint returns of long-time residents where only 1 spouse meets the ownership and use requirements.

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. ALLOWANCE OF FIRST-TIME HOMEBUYER**
4 **CREDIT FOR MARRIED LONG-TIME RESI-**
5 **DENTS WHERE ONLY 1 SPOUSE MEETS THE**
6 **OWNERSHIP AND USE REQUIREMENTS.**

7 (a) SPECIAL RULE FOR MARRIED SPOUSES.—Para-
8 graph (6) of section 36(c) of the Internal Revenue Code

1 of 1986 is amended by adding at the end the following
2 new sentence: “In the case of a joint return where only
3 1 spouse meets the ownership and use requirements of the
4 preceding sentence with respect to such same residence,
5 such spouse shall be treated as a first-time homebuyer for
6 purposes of this section with respect to the purchase of
7 such subsequent residence.”.

8 (b) DOLLAR LIMITATION.—Subparagraph (D) of sec-
9 tion 36(b)(1) of such Code is amended by inserting before
10 the period at the end the following: “, except that in the
11 case of a joint returned described in the second sentence
12 of subsection (c)(6), subparagraphs (B) and (C) shall not
13 apply and subparagraph (A) shall be applied by sub-
14 stituting ‘\$3,250’ for ‘\$8,000’.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect as if included in the amend-
17 ments made by subsections (b) and (c) of section 11 of
18 the Worker, Homeownership, and Business Assistance Act
19 of 2009.

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