

# SENATE BILL No. 454

August 1, 1991, Introduced by Senators FAXON and WELBORN  
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 CITIZEN  
8 DIAGNOSED OR IDENTIFIED AS HAVING ALZHEIMER'S DISEASE OR A  
9 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 BY THIS SECTION FOR AN EXPENDITURE  
18 SPECIFIED IN SUBSECTION (1) (E) SHALL BE AN ADDITIONAL 1-TIME  
19 CREDIT THAT SHALL 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) IF A HUSBAND AND WIFE FILE SEPARATE RETURNS, THE ENTIRE  
23 AMOUNT OF THE CREDIT MAY BE TAKEN BY 1 SPOUSE OR THE AMOUNT OF  
24 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) "HOMESTEAD" AND "HOUSEHOLD INCOME" MEAN THOSE TERMS AS  
3 DEFINED IN SECTION 508.

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

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

17 (D) "SENIOR CITIZEN" MEANS THAT TERM AS DEFINED IN  
18 SECTION 514.