

1856 Section 28. Section **59-10-1006** , which is renumbered from Section 59-10-108.5 is  
1857 renumbered and amended to read:  
1858 ~~[59-10-108.5].~~ **59-10-1006. Historic preservation tax credit.**  
1859 (1) (a) For tax years beginning January 1, 1993, and thereafter, there is allowed  
to  
1860 ~~[resident individuals]~~ a claimant, estate, or trust, as a nonrefundable tax credit  
against the  
1861 income tax due, an amount equal to 20% of qualified rehabilitation expenditures,  
costing more  
1862 than \$10,000, incurred in connection with any residential certified historic building.  
When  
1863 qualifying expenditures of more than \$10,000 are incurred, the tax credit allowed by  
this  
1864 section shall apply to the full amount of expenditures.  
1865 (b) All rehabilitation work to which the tax credit may be applied shall be  
approved by  
1866 the State Historic Preservation Office prior to completion of the rehabilitation project  
as  
1867 meeting the Secretary of the Interior's Standards for Rehabilitation so that the office  
can  
1868 provide corrective comments to the ~~[taxpayer]~~ claimant, estate, or trust in order to  
preserve the  
1869 historical qualities of the building.  
1870 (c) Any amount of tax credit remaining may be carried forward to each of the five  
1871 taxable years following the qualified expenditures.  
1872 (d) The commission, in consultation with the Division of State History, shall  
1873 promulgate rules to implement this section.  
1874 (2) As used in this section:  
1875 (a) "Certified historic building" means a building that is listed on the National  
Register  
1876 of Historic Places within three years of taking the credit under this section or that is  
located in a  
1877 National Register Historic District and the building has been designated by the  
Division of  

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1878 State History as being of significance to the district.  
1879 (b) (i) "Qualified rehabilitation expenditures" means any amount properly  
chargeable  
1880 to the rehabilitation and restoration of the physical elements of the building,  
including the  
1881 historic decorative elements, and the upgrading of the structural, mechanical,  
electrical, and  
1882 plumbing systems to applicable codes.  
1883 (ii) "Qualified rehabilitation expenditures" does not include expenditures related  
to:  
1884 (A) ~~[the taxpayer's]~~ a claimant's, estate's, or trust's personal labor;  
1885 (B) cost of acquisition of the property;  
1886 (C) any expenditure attributable to the enlargement of an existing building;  
1887 (D) rehabilitation of a certified historic building without the approval required in  
1888 Subsection (1)(b); or

1889 (E) any expenditure attributable to landscaping and other site features,  
outbuildings,  
1890 garages, and related features.

1891 (c) "Residential" means a building used for residential use, either owner occupied  
or  
1892 income producing.

1893 Section 29. Section **59-10-1007** , which is renumbered from Section 59-10-108.7  
is

1894 renumbered and amended to read: