

**171.399 Tax credit for certified rehabilitation of certain historic structures containing twenty-five stories or more -- Qualifications.**

- (1) For taxable years beginning on or after January 1, 2027, but before January 1, 2031, a taxpayer completing a certified rehabilitation of a certified historic structure containing a minimum of twenty-five (25) stories shall be allowed a credit against the taxes imposed by KRS 141.020 or 141.040 and 141.0401, with the ordering of the credit as provided in KRS 141.0205 for projects in which the total qualified rehabilitation expenses exceed one hundred fifty million dollars (\$150,000,000).
- (2) The credit shall be equal to the lesser of:
  - (a) The percentage of qualified rehabilitation expenses as provided in KRS 171.398; or
  - (b) The amount of federal credit allowed under 26 U.S.C. sec. 47 for the same qualified rehabilitation expenses that generated the tax credit under this section.
- (3) (a) The credit shall not:
  1. Exceed forty million dollars (\$40,000,000); or
  2. Be subject to the maximum credit amounts allowed in KRS 171.398.
  - (b) Any project approved for credit under this section shall not be considered in determining whether the certified rehabilitation credit cap has been met for any taxable year and therefore not subject to the percentage of the credit cap allocated to owner-occupied residential property or other property that is not owner-occupied residential property as provided in KRS 171.396.
- (4) A taxpayer seeking the credit under this section shall file an application in accordance with KRS 171.398.
- (5) Unless otherwise stated in this section, the provisions of KRS 171.398 shall apply to this section.

**Effective:** July 15, 2026

**History:** Created 2026 Ky. Acts ch. 161, sec. 129, effective July 15, 2026.