



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 758

S.P. 316

In Senate, February 16, 2023

**An Act to Account for the Impact of Inflation on the Taxation of
Capital Gains and Losses**

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senator: LIBBY of Cumberland, Representatives: FAULKINGHAM of
Winter Harbor, LIBBY of Auburn, MORRIS of Turner, QUINT of Hodgdon.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 36 MRSA §5122, sub-§2, ¶AAA** is enacted to read:

3 AAA. For income tax years beginning on or after January 1, 2024, to the extent
4 included in federal adjusted gross income and not otherwise removed from Maine
5 taxable income, for capital gains attributable to the sale of a capital asset when the gain
6 is less than the increase in the Consumer Price Index over the period that the asset was
7 held by the taxpayer, an amount equal to those capital gains reduced by an amount
8 equal to the difference between the capital gain and the amount by which the value of
9 the property increased less than the Consumer Price Index.

10 **SUMMARY**

11 This bill provides that the portion of capital gains included in federal adjusted gross
12 income must be reduced by the amount by which the value of the asset increased less than
13 the Consumer Price Index over the period of time the asset was held by the taxpayer.