

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Teitelbaum” and substitute “Teitelbaum, and Middleton”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Income Tax - “ and substitute “Tax”; in line 3, after “tax” insert “, financial institution franchise tax, and insurance premiums”; strike beginning with “providing” in line 6 down through “year;” in line 7; strike beginning with the second “the” in line 8 down through “tax” in line 9 and substitute “certain taxes”; after line 9, insert:

“BY adding to

Article - Environment

Section 2-901 to be under the new subtitle “Subtitle 9. Tax Credits for Employer-Provided
Commuter Benefits”

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”;

in line 12, after “Section” insert “8-220 and”; and after line 14, insert:

“BY adding to

Article - Insurance

Section 6-119

Annotated Code of Maryland

(1997 Volume and 1998 Supplement)”.

AMENDMENT NO. 3

On page 1, in line 17, strike “Article - Tax - General” and substitute “Article - Environment”; after line 17, insert:

(Over)

“SUBTITLE 9. TAX CREDITS FOR EMPLOYER-PROVIDED COMMUTER BENEFITS.”; and in line 18, strike “10-712.” and substitute “2-901.”.

On page 2, in line 3, after the second “A” insert “TAX”; and strike beginning with “AGAINST” in line 3 down through “TAX” in line 4.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 19 through 21, inclusive; in line 22, strike “(3)” and substitute “(2)”; and in line 27, strike “(3)(I)” and substitute “(2)(I)”.

AMENDMENT NO. 5

On page 2, strike in their entirety lines 30 through 36, inclusive, and substitute:

“(D) (1) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE TOTAL TAX OTHERWISE PAYABLE BY THE BUSINESS ENTITY FOR THAT TAXABLE YEAR, DETERMINED BEFORE THE APPLICATION OF THE CREDIT UNDER THIS SECTION BUT AFTER THE APPLICATION OF ANY OTHER CREDIT.

(2) THE UNUSED AMOUNT OF THE CREDIT UNDER THIS SECTION FOR ANY TAXABLE YEAR MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

Article - Tax - General

8-220.

A FINANCIAL INSTITUTION MAY CLAIM A CREDIT AGAINST THE FINANCIAL INSTITUTION FRANCHISE TAX FOR THE COST OF PROVIDING COMMUTER BENEFITS TO THE BUSINESS ENTITY’S EMPLOYEES AS PROVIDED UNDER § 2-901 OF THE ENVIRONMENT ARTICLE.

10-712.

AN INDIVIDUAL OR CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE COST OF PROVIDING COMMUTER BENEFITS TO THE BUSINESS ENTITY’S EMPLOYEES AS PROVIDED UNDER § 2-901 OF THE ENVIRONMENT ARTICLE.

Article - Insurance

6-119.

AN INSURER MAY CLAIM A CREDIT AGAINST THE PREMIUM TAX FOR THE COST OF PROVIDING COMMUTER BENEFITS TO THE BUSINESS ENTITY'S EMPLOYEES AS PROVIDED UNDER § 2-901 OF THE ENVIRONMENT ARTICLE."