

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL NO. 636

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Howard" and substitute "Howard, and Zirkin".

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 tax"; strike beginning with "providing" in line 6 down through "year;" in line 7; strike beginning with "the" in line 9 down through "tax" in line 10 and substitute "certain taxes"; after line 10, 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 13, after "Section" insert "8-220 and"; and after line 15, insert:

"BY adding to

Article - Insurance

Section 6-119

Annotated Code of Maryland

(1997 Volume and 1998 Supplement)".

AMENDMENT NO. 3

On page 2, in line 1, strike "Article - Tax - General" and substitute "Article - Environment"; after line 1, insert:

(Over)

“SUBTITLE 9. TAX CREDITS FOR EMPLOYER-PROVIDED COMMUTER BENEFITS.”;

in line 2, strike “10-712.” and substitute “2-901.”; in line 12, after the second “A” insert “TAX”; and strike beginning with “AGAINST” in line 12 down through “TAX” in line 13.

AMENDMENT NO. 4

On page 2, in line 27, after “CAPACITY;” insert “OR”; strike in their entirety lines 28 through 30, inclusive; and in line 31, strike “(3)” and substitute “(2)”.

On page 3, in line 2, strike “(3)(I)” and substitute “(2)(I)”.

AMENDMENT NO. 5

On page 3, strike in their entirety lines 5 through 11, 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."