

SENATE BILL 850

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2001 Regular Session
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CF HB 1095

By: **Senators Hafer, Astle, Bromwell, Currie, DeGrange, Exum, Hooper, Madden, Mooney, Munson, Neall, ~~and Stoltzfus~~ Stoltzfus, Hoffman, Van Hollen, Hogan, Kasemeyer, Lawlah, McFadden, Middleton, and Ruben**

Introduced and read first time: February 20, 2001
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Re-referred to: Budget and Taxation, February 22, 2001

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 1, 2001

CHAPTER 436

1 AN ACT concerning

2 **Income Tax - Subtraction Modification for Volunteer Fire, Rescue, and**
3 **Emergency Medical Services Personnel - Ladies' Auxiliary**

4 FOR the purpose of making a certain subtraction modification for qualifying
5 volunteer fire, rescue, and emergency medical services personnel applicable to
6 certain members of an auxiliary organization of certain fire, rescue, or
7 emergency medical services organizations; providing for the application of this
8 Act; and generally relating to a subtraction modification for qualifying volunteer
9 fire, rescue, and emergency medical services personnel and auxiliary members.

10 BY repealing and reenacting, with amendments,
11 Article - Tax - General
12 Section 10-208(i-1)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2000 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Tax - General**

18 10-208.

19 (i-1) (1) The subtraction under subsection (a) of this section includes an
20 amount equal to \$3,500 if an individual is a qualifying volunteer fire, rescue, or

1 emergency medical services member for the taxable year, as determined under
2 paragraph (2) of this subsection.

3 (2) An individual is a qualifying volunteer fire, rescue, or emergency
4 medical services member for the taxable year eligible for the subtraction modification
5 under this subsection if the individual:

6 (i) is an active member of:

7 1. a bona fide Maryland fire, rescue, or emergency medical
8 services organization;

9 2. AN AUXILIARY ORGANIZATION OF A BONA FIDE
10 MARYLAND FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ORGANIZATION; or

11 3. [of] the United States Coast Guard Auxiliary;

12 (ii) serves the organization in a volunteer capacity without
13 compensation, except nominal expenses or meals;

14 (iii) 1. qualifies for active status during the taxable year under:

15 A. a volunteer fire, rescue, or emergency medical services
16 personnel OR AUXILIARY length of service award program operated by a county or
17 municipal corporation of the State, if the length of service award program requires for
18 active status qualification a minimum of 50 points per year and that points be earned
19 in at least two different categories; or

20 B. a point system established by a county or municipal
21 corporation that does not operate a volunteer fire, rescue, or emergency medical
22 services personnel OR AUXILIARY length of service award program or by the United
23 States Coast Guard Auxiliary, to identify active MEMBERS OF A volunteer fire, rescue,
24 or emergency medical services [members] ORGANIZATION OR AUXILIARY
25 ORGANIZATION, if the point system requires for active status qualification a
26 minimum of 50 points per year and that points be earned in at least two different
27 categories; or

28 2. has maintained active status for at least 25 years under a
29 volunteer fire, rescue, or emergency medical services personnel OR AUXILIARY length
30 of service award program or a point system established in lieu of a length of service
31 award program; and

32 (iv) will have been an active member of:

33 1. a bona fide Maryland fire, rescue, or emergency medical
34 services organization OR AN AUXILIARY ORGANIZATION OF A BONA FIDE MARYLAND
35 FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ORGANIZATION during the last
36 10 calendar years by December 31 of the taxable year for at least:

37 A. 72 months after December 31, 1999;

- 1 B. 60 months after December 31, 2000;
- 2 C. 48 months after December 31, 2001; and
- 3 D. 36 months after December 31, 2002; or
- 4 2. the United States Coast Guard Auxiliary during the last
- 5 10 calendar years by December 31 of the taxable year for at least 72 months.

6 (3) (i) Each fire, rescue, or emergency medical services organization

7 OR AUXILIARY ORGANIZATION shall:

- 8 1. maintain a record of the points earned by each individual
- 9 during each calendar year;
- 10 2. provide each member a report identifying the number of
- 11 points earned in each category by February 15 of the following year; and
- 12 3. provide a report that includes the names, Social Security
- 13 numbers, and points earned by those members qualifying for the subtraction
- 14 modification under this subsection to the Maryland State Firemen's Association by
- 15 May 1 of the following year.

16 (ii) An individual may not qualify for the subtraction under this

17 subsection based on membership in the United States Coast Guard Auxiliary unless

18 the United States Coast Guard Auxiliary:

- 19 1. maintains a record of the points earned by each individual
- 20 during each calendar year;
- 21 2. provides each member a report identifying the number of
- 22 points earned in each category by February 15 of the following year; and
- 23 3. provides a report that includes the names, Social Security
- 24 numbers, and points earned by those members qualifying for the subtraction
- 25 modification under this subsection to the Comptroller on or before October 1 of each
- 26 year.

27 (4) To qualify for the subtraction modification under this subsection, an

28 individual shall attach to the individual's income tax return a copy of the report

29 provided by the organization under paragraph (3) of this subsection.

30 (5) On or before October 1 of each year, the Maryland State Firemen's

31 Association shall submit to the Department of Public Safety and Correctional

32 Services and the Office of the Comptroller a report stating the participation in the

33 point system by the various local subdivisions with the names and Social Security

34 numbers of individuals who qualified for the subtraction modification under this

35 subsection for the preceding taxable year.

1 (6) (i) A person may not knowingly make or cause any false statement
2 or report to be made in any application or in any document required under this
3 subsection.

4 (ii) Any person who violates or attempts to violate any provision of
5 subparagraph (i) of this paragraph shall be subject to a fine of \$1,000.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2001, and shall be applicable to all taxable years beginning after December 31,
8 2000.