

HOUSE BILL 1095

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Q3

2001 Regular Session
11r1855
CF 11r2959

By: **Delegates Rudolph, Hecht, W. Baker, Baldwin, Barkley, Benson, Bohanan, Boschert, Clagett, Cole, Conway, Dembrow, Edwards, Frush, Getty, Glassman, Hubbard, Hubers, James, K. Kelly, McClenahan, Moe, Parrott, Patterson, Proctor, Rosso, Shank, Snodgrass, Stocksdale, Stull, Swain, and Weir Weir, Bartlett, Bozman, Carlson, Cryor, Conroy, Heller, Hutchins, Linton, Malone, Marriott, McKee, Mitchell, Ports, Shriver, and Wood**

Introduced and read first time: February 9, 2001
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2001

CHAPTER 437

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:

1 **Article - Tax - General**

2 10-208.

3 (i-1) (1) The subtraction under subsection (a) of this section includes an
4 amount equal to \$3,500 if an individual is a qualifying volunteer fire, rescue, or
5 emergency medical services member for the taxable year, as determined under
6 paragraph (2) of this subsection.

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

10 (i) is an active member of:

11 1. a bona fide Maryland fire, rescue, or emergency medical
12 services organization;

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

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

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

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

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

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

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

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

1 1. a bona fide Maryland fire, rescue, or emergency medical
2 services organization OR AN AUXILIARY ORGANIZATION OF A BONA FIDE MARYLAND
3 FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ORGANIZATION during the last
4 10 calendar years by December 31 of the taxable year for at least:

- 5 A. 72 months after December 31, 1999;
6 B. 60 months after December 31, 2000;
7 C. 48 months after December 31, 2001; and
8 D. 36 months after December 31, 2002; or

9 2. the United States Coast Guard Auxiliary during the last
10 10 calendar years by December 31 of the taxable year for at least 72 months.

11 (3) (i) Each fire, rescue, or emergency medical services organization
12 OR AUXILIARY ORGANIZATION shall:

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

21 (ii) An individual may not qualify for the subtraction under this
22 subsection based on membership in the United States Coast Guard Auxiliary unless
23 the United States Coast Guard Auxiliary:

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

32 (4) To qualify for the subtraction modification under this subsection, an
33 individual shall attach to the individual's income tax return a copy of the report
34 provided by the organization under paragraph (3) of this subsection.

35 (5) On or before October 1 of each year, the Maryland State Firemen's
36 Association shall submit to the Department of Public Safety and Correctional

1 Services and the Office of the Comptroller a report stating the participation in the
2 point system by the various local subdivisions with the names and Social Security
3 numbers of individuals who qualified for the subtraction modification under this
4 subsection for the preceding taxable year.

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

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

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2001, and shall be applicable to all taxable years beginning after December 31,
12 2000.