

# SENATE BILL 112

Q3  
HB 549/08 – W&M

9lr1308

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By: **Senator Stone**  
Introduced and read first time: January 15, 2009  
Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Military Retirement Income**

3 FOR the purpose of removing a certain limitation on a subtraction modification under  
4 the Maryland income tax for certain military retirement income; providing for  
5 the application of this Act; and generally relating to a subtraction modification  
6 for military retirement income.

7 BY repealing and reenacting, without amendments,  
8 Article – Tax – General  
9 Section 10–207(a)  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2008 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Tax – General  
14 Section 10–207(q)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2008 Supplement)

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

19 **Article – Tax – General**

20 10–207.

21 (a) To the extent included in federal adjusted gross income, the amounts  
22 under this section are subtracted from the federal adjusted gross income of a resident  
23 to determine Maryland adjusted gross income.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 (q) (1) (i) In this subsection the following words have the meanings  
2 indicated.

3 (ii) "Military service" means:

4 1. induction into the armed forces of the United States  
5 for training and service under the Selective Training and Service Act of 1940 or a  
6 subsequent act of a similar nature;

7 2. membership in a reserve component of the armed  
8 forces of the United States;

9 3. membership in an active component of the armed  
10 forces of the United States;

11 4. membership in the Maryland National Guard; or

12 5. active duty with the commissioned corps of the Public  
13 Health Service, the National Oceanic and Atmospheric Administration, or the Coast  
14 and Geodetic Survey.

15 (iii) "Military retirement income" means retirement income  
16 received as a result of military service.

17 (2) The subtraction under subsection (a) of this section includes [the  
18 first \$5,000 of] **ANY** military retirement income received by an individual during the  
19 taxable year.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 July 1, 2009, and shall be applicable to all taxable years beginning after December 31,  
22 2008.