

SENATE BILL 809

Q4

2lr2176
CF 2lr2366

By: **Senators Madaleno, Brinkley, Colburn, Currie, DeGrange, Ferguson, Forehand, Glassman, Jones–Rodwell, King, Kittleman, Klausmeier, Manno, McFadden, Montgomery, Peters, and Simonaire**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax – Tax–Free Periods – University and College Textbooks**

3 FOR the purpose of designating certain periods each year to be tax–free periods during
4 which an exemption from the sales and use tax is provided for the sale of certain
5 textbooks purchased by certain individuals; defining a certain term; and
6 generally relating to sales and use tax–free periods for the sale of university and
7 college textbooks.

8 BY adding to

9 Article – Tax – General

10 Section 11–232

11 Annotated Code of Maryland

12 (2010 Replacement Volume and 2011 Supplement)

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

15 **Article – Tax – General**

16 **11–232.**

17 **(A) IN THIS SECTION, “TEXTBOOK” MEANS A BOOK:**

18 **(1) WRITTEN, DESIGNED, AND PRODUCED FOR EDUCATIONAL,**
19 **INSTRUCTIONAL, OR PEDAGOGICAL PURPOSES; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) REQUIRED FOR A COURSE AT A PUBLIC SENIOR HIGHER**
2 **EDUCATION INSTITUTION OR REGIONAL HIGHER EDUCATION CENTER AS**
3 **DEFINED UNDER § 10-101(I) AND (J) OF THE EDUCATION ARTICLE.**

4 **(B) (1) BEGINNING IN CALENDAR YEAR 2012, THE 14-DAY PERIOD**
5 **BEGINNING WITH THE LAST 7 DAYS OF AUGUST AND CONTINUING THROUGH**
6 **THE FIRST 7 DAYS OF SEPTEMBER SHALL BE A TAX-FREE PERIOD FOR**
7 **RETURN-TO-SCHOOL SHOPPING IN MARYLAND DURING WHICH THE EXEMPTION**
8 **UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL APPLY.**

9 **(2) BEGINNING IN CALENDAR YEAR 2013, IN ADDITION TO THE**
10 **TAX-FREE PERIOD ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION, THE**
11 **LAST 14 DAYS OF JANUARY SHALL BE A TAX-FREE PERIOD FOR**
12 **RETURN-TO-SCHOOL SHOPPING IN MARYLAND DURING WHICH THE EXEMPTION**
13 **UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL APPLY.**

14 **(3) DURING THE TAX-FREE PERIODS FOR RETURN-TO-SCHOOL**
15 **SHOPPING ESTABLISHED UNDER PARAGRAPHS (1) AND (2) OF THIS**
16 **SUBSECTION, THE SALES AND USE TAX DOES NOT APPLY TO THE SALE OF A**
17 **TEXTBOOK THAT IS PURCHASED BY A FULL-TIME OR PART-TIME STUDENT**
18 **ENROLLED AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR**
19 **REGIONAL HIGHER EDUCATION CENTER AS DEFINED UNDER § 10-101(I) AND (J)**
20 **OF THE EDUCATION ARTICLE.**

21 **(C) AN INDIVIDUAL MAY ESTABLISH FULL-TIME OR PART-TIME**
22 **STUDENT STATUS BY PRODUCING A VALID STUDENT IDENTIFICATION CARD AT**
23 **THE TIME OF PURCHASE OF THE TEXTBOOK.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2012.