

HOUSE BILL 1528

Q3

7lr3546

By: **Delegates Rey, Adams, Beitzel, Flanagan, Jacobs, Jameson, Kipke, Kittleman, Korman, Kramer, Lafferty, Mautz, McComas, Patterson, Queen, Rose, Shoemaker, and B. Wilson**

Introduced and read first time: February 15, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Oyster Shell Recycling Credit – Sunset Repeal**

3 FOR the purpose of repealing certain termination provisions related to a State income tax
4 credit for each bushel of oyster shells recycled during a taxable year; and generally
5 relating to an income tax credit for oyster shell recycling.

6 BY repealing and reenacting, without amendments,

7 Article – Tax – General

8 Section 10–724.1

9 Annotated Code of Maryland

10 (2016 Replacement Volume)

11 BY repealing and reenacting, with amendments,

12 Chapter 278 of the Acts of the General Assembly of 2013

13 Section 2

14 BY repealing and reenacting, with amendments,

15 Chapter 279 of the Acts of the General Assembly of 2013

16 Section 2

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Tax – General**

20 10–724.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) Subject to the limitations of this section, an individual or a corporation
2 may claim a credit against the State income tax in an amount equal to \$5 for each bushel
3 of oyster shells recycled during the taxable year.

4 (2) An individual or a corporation that claims the credit under this section
5 shall provide verification of the amount of oyster shells recycled during the taxable year
6 with the individual or corporation tax return.

7 (b) (1) For any taxable year, the credit allowed under this section may not
8 exceed the lesser of:

9 (i) \$750; or

10 (ii) the State income tax calculated before application of the credit
11 allowed under this section and §§ 10-701 and 10-701.1 of this subtitle.

12 (2) The unused amount of the credit may not be carried over to any other
13 taxable year.

14 (c) (1) The Department of Natural Resources and the Comptroller jointly shall
15 adopt regulations to carry out the provisions of this section.

16 (2) The regulations shall establish eligibility criteria and provide for the
17 certification of businesses, landfills, and nonprofit organizations to verify the amount of
18 oyster shells recycled by each individual or corporation.

19 Chapter 278 of the Acts of 2013

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. [It
22 shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no
23 further action required by the General Assembly, this Act shall be abrogated and of no
24 further force and effect.]

25 Chapter 279 of the Acts of 2013

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27 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. [It
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29 further action required by the General Assembly, this Act shall be abrogated and of no
30 further force and effect.]

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2017.