

SB1090/409330/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1090
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “income;” insert “requiring certain corporations to apportion certain income from certain intangible investments in a certain manner; requiring the Public Service Commission to report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 1, in line 20, after “**(2)**” insert ““BANKING ENTITY” MEANS:

(I) A BANK, TRUST COMPANY, SAVINGS BANK, OR SAVINGS AND LOAN ASSOCIATION INCORPORATED OR CHARTED UNDER THE LAWS OF A STATE OR THE UNITED STATES; OR

(II) A COMPANY THAT CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH AN INSTITUTION DESCRIBED UNDER ITEM (I) OF THIS PARAGRAPH.

(3)”.

AMENDMENT NO. 3

On page 2, in line 14, strike “**(3)**” and substitute “**(4)**”.

AMENDMENT NO. 4

On page 3, in line 29, strike “OR”; in line 32, after “YEAR” insert “;**OR**

4. THE CORPORATION IS A BANKING ENTITY”;

(Over)

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and in line 33, strike “**IF**” and substitute “**SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF**”.

AMENDMENT NO. 5

On page 4, after line 3, insert:

“(III) TO DETERMINE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH THE MARYLAND MODIFIED INCOME OF A CORPORATION OR GROUP OF CORPORATIONS THAT IS A WORLDWIDE HEADQUARTERED COMPANY THAT FILED A FEDERAL CORPORATE INCOME TAX RETURN FOR THE TAXABLE YEAR, GROSS INCOME FROM INTANGIBLE INVESTMENTS, INCLUDING DIVIDENDS, INTEREST, ROYALTIES, AND CAPITAL GAINS FROM THE SALE OF INTANGIBLE PROPERTY, SHALL BE INCLUDED IN THE CALCULATION OF THE NUMERATOR BASED ON THE AVERAGE OF THE PROPERTY AND PAYROLL FACTORS.”;

in line 13, strike the brackets; and in the same line, strike “**WITHIN AND OUTSIDE**”.

AMENDMENT NO. 6

On page 5, in line 21, strike “**(III)**” and substitute “**(IV)**”.

AMENDMENT NO. 7

On page 6, after line 3, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2018, the Public Service Commission shall report to the Senate Budget and Taxation Committee and the House Ways and Means Committee, in accordance with § 2-1246 of the State Government Article, on:

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(1) the anticipated reduction in the corporate income tax liability of a corporation described under § 10–402(d)(2)(i)1 of the Tax – General Article making the election authorized under § 10–402(d)(2) of the Tax – General Article; and

(2) when and how Maryland public utility companies expect to pass the tax savings on to their customers.”;

and in line 4, strike “2.” and substitute “3.”.