

HOUSE BILL 1069

Q3

(8lr3180)

ENROLLED BILL

— *Ways and Means/Budget and Taxation* —

Introduced by **Delegates Buckel, Beitzel, Corderman, Hornberger, Impallaria, Krebs, Luedtke, McComas, McKay, Otto, Parrott, Rose, Shoemaker, Szeliga, ~~and Wivell~~ Wivell, Afzali, Ali, Ebersole, C. Howard, Kaiser, Long, Mosby, Reilly, Tarlau, Turner, ~~and Wilkins~~ Wilkins, and Jackson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and**
3 **Emergency Medical Services Members**

4 FOR the purpose of altering the amount of a subtraction modification under the State
5 income tax for certain qualifying volunteer fire, rescue, and emergency medical
6 services members; and generally relating to a subtraction modification under the
7 State income tax for qualifying volunteer fire, rescue, and emergency medical
8 services members.

9 BY repealing and reenacting, without amendments,
10 Article – Tax – General
11 Section 10–208(a)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2016 Replacement Volume and 2017 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Tax – General
5 Section 10–208(i–1)
6 Annotated Code of Maryland
7 (2016 Replacement Volume and 2017 Supplement)

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

10 **Article – Tax – General**

11 10–208.

12 (a) In addition to the modification under § 10–207 of this subtitle, the amounts
13 under this section are subtracted from the federal adjusted gross income of a resident to
14 determine Maryland adjusted gross income.

15 (i–1) (1) The subtraction under subsection (a) of this section includes an amount
16 equal to the amount specified in paragraph (3) of this subsection if an individual is a
17 qualifying volunteer fire, rescue, or emergency medical services member for the taxable
18 year, as determined under paragraph (2) of this subsection.

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

22 (i) is an active member of:

23 1. a bona fide Maryland fire, rescue, or emergency medical
24 services organization;

25 2. an auxiliary organization of a bona fide Maryland fire,
26 rescue, or emergency medical services organization;

27 3. the United States Coast Guard Auxiliary;

28 4. the Maryland Defense Force; or

29 5. the Maryland Civil Air Patrol;

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

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

1 A. a volunteer fire, rescue, or emergency medical services
2 personnel or auxiliary length of service award program operated by a county or municipal
3 corporation of the State, if the length of service award program requires for active status
4 qualification a minimum of 50 points per year and that points be earned in at least two
5 different categories; or

6 B. a point system established by a county or municipal
7 corporation that does not operate a volunteer fire, rescue, or emergency medical services
8 personnel or auxiliary length of service award program or by the United States Coast Guard
9 Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol, to identify active
10 members of a volunteer fire, rescue, or emergency medical services organization or
11 auxiliary organization, if the point system requires for active status qualification a
12 minimum of 50 points per year and that points be earned in at least two different categories;

13 2. has maintained active status for at least 25 years under a
14 volunteer fire, rescue, or emergency medical services personnel or auxiliary length of
15 service award program or a point system established in lieu of a length of service award
16 program;

17 3. is a member of the National Guard or other reserve
18 component of the United States armed forces who has been ordered into active military
19 service and who serves on active duty in the armed forces of the United States during the
20 taxable year; or

21 4. is a civilian or a member of the Merchant Marine on
22 assignment in support of the armed forces of the United States during the taxable year in
23 an area designated as a combat zone by executive order of the President; and

24 (iv) will have been an active member of a bona fide Maryland fire,
25 rescue, or emergency medical services organization, an auxiliary organization of a bona fide
26 Maryland fire, rescue, or emergency medical services organization, or the United States
27 Coast Guard Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol for
28 at least 36 months during the last 10 calendar years by December 31 of the taxable year.

29 (3) The amount of the subtraction under paragraph (1) of this subsection is
30 equal to:

31 (i) [\$3,750 for a taxable year beginning after December 31, 2013,
32 but before January 1, 2015;

33 (ii) \$4,000 for a taxable year beginning after December 31, 2014, but
34 before January 1, 2016;

35 (iii) \$4,250 for a taxable year beginning after December 31, 2015, but
36 before January 1, 2017;

1 (iv) \$4,500 for a taxable year beginning after December 31, 2016, but
2 before January 1, 2018;

3 (v)] \$4,750 for a taxable year beginning after December 31, 2017, but
4 before January 1, 2019; [and

5 (vi)] **(II) \$5,000 for a taxable year beginning after December 31,**
6 **2018, BUT BEFORE JANUARY 1, 2020;**

7 **(III) \$6,000 FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER**
8 **31, 2019, BUT BEFORE JANUARY 1, 2021;**

9 **(IV) \$6,500 FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER**
10 **31, 2020, BUT BEFORE JANUARY 1, 2022; AND**

11 **(V) \$7,000 FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER**
12 **31, 2021.**

13 (4) (i) Each fire, rescue, or emergency medical services organization or
14 auxiliary organization shall:

15 1. maintain a record of the points earned by each individual
16 during each calendar year;

17 2. provide each member a report identifying the number of
18 points earned in each category by February 15 of the following year; and

19 3. provide a report that includes the names, Social Security
20 numbers, and points earned by those members qualifying for the subtraction modification
21 under this subsection to the Maryland State Firemen's Association by May 1 of the
22 following year.

23 (ii) An individual may not qualify for the subtraction under this
24 subsection based on membership in the United States Coast Guard Auxiliary, the Maryland
25 Defense Force, or the Maryland Civil Air Patrol unless the United States Coast Guard
26 Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol:

27 1. maintains a record of the points earned by each individual
28 during each calendar year;

29 2. provides each member a report identifying the number of
30 points earned in each category by February 15 of the following year; and

31 3. provides a report that includes the names, Social Security
32 numbers, and points earned by those members qualifying for the subtraction modification
33 under this subsection to the Comptroller on or before October 1 of each year.

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

4 (6) On or before October 1 of each year, the Maryland State Firemen's
5 Association shall submit to the Department of Public Safety and Correctional Services and
6 the Office of the Comptroller a report stating the participation in the point system by the
7 various local subdivisions with the names and Social Security numbers of individuals who
8 qualified for the subtraction modification under this subsection for the preceding taxable
9 year.

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.