

SENATE BILL 184

Q3

8lr1731
CF HB 365

By: **Senators Kasemeyer, Madaleno, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Norman, Oaks, Peters, Pinsky, Ramirez, Reilly, Robinson, Rosapepe, Salling, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, ~~and Zucker~~ Zucker, and Ready**

Introduced and read first time: January 17, 2018

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 2, 2018

CHAPTER _____

1 AN ACT concerning

2 **Income Tax – Personal Exemptions – Alteration**

3 FOR the purpose of altering the determination of the number of exemptions that an
4 individual may use to calculate a certain deduction under the Maryland income tax;
5 providing for the application of this Act; and generally relating to a deduction for
6 certain exemptions under the Maryland income tax.

7 BY repealing and reenacting, with amendments,

8 Article – Tax – General

9 Section 10–211

10 Annotated Code of Maryland

11 (2016 Replacement Volume and 2017 Supplement)

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

14 **Article – Tax – General**

15 10–211.

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.



1 (a) **SUBJECT TO THE PROVISIONS OF THIS SECTION, AN INDIVIDUAL MAY**
2 **DEDUCT AN EXEMPTION FOR:**

3 (1) **THE TAXPAYER;**

4 (2) **THE SPOUSE OF THE TAXPAYER IF:**

5 (I) **A JOINT RETURN IS NOT MADE BY THE TAXPAYER AND THE**
6 **SPOUSE; AND**

7 (II) **THE SPOUSE, FOR THE CALENDAR YEAR IN WHICH THE**
8 **TAXABLE YEAR OF THE TAXPAYER BEGINS, HAS NO GROSS INCOME AND IS NOT A**
9 **DEPENDENT OF ANOTHER TAXPAYER; AND**

10 (3) **EACH INDIVIDUAL WHO IS A DEPENDENT, AS DEFINED IN § 152 OF**
11 **THE INTERNAL REVENUE CODE, OF THE TAXPAYER FOR THE TAXABLE YEAR.**

12 (B) Except as provided in subsection [(b)] (C) of this section, whether or not a
13 federal return is filed, to determine Maryland taxable income, an individual other than a
14 fiduciary may deduct as an exemption:

15 (1) \$3,200 for each exemption that the individual may deduct [in the
16 taxable year to determine federal taxable income under § 151 of the Internal Revenue Code]
17 **UNDER SUBSECTION (A) OF THIS SECTION;**

18 (2) an additional \$3,200 for each dependent, as defined in § 152 of the
19 Internal Revenue Code, who is at least 65 years old on the last day of the taxable year;

20 (3) an additional \$1,000 if the individual, on the last day of the taxable
21 year, is at least 65 years old; and

22 (4) an additional \$1,000 if the individual, on the last day of the taxable
23 year, is a blind individual, as described in § 10–208(c) of this subtitle.

24 [(b)] (C) (1) If an individual other than one described in paragraph (2) of this
25 subsection has federal adjusted gross income for the taxable year greater than \$100,000,
26 the amount allowed for each exemption under subsection [(a)(1) or (2)] **(B)(1) OR (2)** of
27 this section is limited to:

28 (i) \$1,600 if federal adjusted gross income for the taxable year does
29 not exceed \$125,000;

30 (ii) \$800 if federal adjusted gross income for the taxable year is
31 greater than \$125,000 but not greater than \$150,000; and

1 (iii) \$0 if federal adjusted gross income for the taxable year is greater
2 than \$150,000.

3 (2) If a married couple filing a joint return or an individual described in §
4 2 of the Internal Revenue Code as a head of household or as a surviving spouse has federal
5 adjusted gross income for the taxable year greater than \$150,000, the amount allowed for
6 each exemption under subsection [(a)(1) or (2)] **(B)(1) OR (2)** of this section is limited to:

7 (i) \$1,600 if federal adjusted gross income for the taxable year does
8 not exceed \$175,000;

9 (ii) \$800 if federal adjusted gross income for the taxable year is
10 greater than \$175,000 but not greater than \$200,000; and

11 (iii) \$0 if federal adjusted gross income for the taxable year is greater
12 than \$200,000.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.