$\mathbf{Q3}$							8lr 2652
							CF HB 37
By:	Senators	Middleton,	Astle,	Feldman,	Guzzone,	Hershey,	Jennings,
	Klausmei	ier, Mathias, (Oaks, Pe	eters, Reilly	, Rosapepe,	and Zucke	r

Introduced and read first time: January 25, 2018 Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

Income Tax - Subtraction Modification - Volunteer Fire, Rescue, or Emergency Medical Services Membership

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

- 9 BY repealing and reenacting, without amendments,
- 10 Article Tax General
- 11 Section 10–208(a)
- 12 Annotated Code of Maryland
- 13 (2016 Replacement Volume and 2017 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Tax General
- 16 Section 10–208(i–1)
- 17 Annotated Code of Maryland
- 18 (2016 Replacement Volume and 2017 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 20 That the Laws of Maryland read as follows:
- 21

Article – Tax – General

22 10–208.

(a) In addition to the modification under § 10-207 of this subtitle, the amounts
 under this section are subtracted from the federal adjusted gross income of a resident to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



1 determine Maryland adjusted gross income.

2 (i-1) (1) The subtraction under subsection (a) of this section includes an amount 3 equal to the amount specified in paragraph (3) of this subsection if an individual is a 4 qualifying volunteer fire, rescue, or emergency medical services member for the taxable 5 year, as determined under paragraph (2) of this subsection.

6 (2) An individual is a qualifying volunteer fire, rescue, or emergency 7 medical services member for the taxable year eligible for the subtraction modification under 8 this subsection if the individual:

9

(i) is an active member of:

101.a bona fide Maryland fire, rescue, or emergency medical11services organization;

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

- 143.the United States Coast Guard Auxiliary;
- 15 4. the Maryland Defense Force; or
- 16 5. the Maryland Civil Air Patrol;
- 17 (ii) serves the organization in a volunteer capacity without 18 compensation, except nominal expenses or meals;
- 19
- (iii) 1. qualifies for active status during the taxable year under:

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

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

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

2

1 program;

2 3. is a member of the National Guard or other reserve 3 component of the United States armed forces who has been ordered into active military 4 service and who serves on active duty in the armed forces of the United States during the 5 taxable year; or

6 4. is a civilian or a member of the Merchant Marine on 7 assignment in support of the armed forces of the United States during the taxable year in 8 an area designated as a combat zone by executive order of the President; and

9 (iv) will have been an active member of a bona fide Maryland fire, 10 rescue, or emergency medical services organization, an auxiliary organization of a bona fide 11 Maryland fire, rescue, or emergency medical services organization, or the United States 12 Coast Guard Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol for 13 at least 36 months during the last 10 calendar years by December 31 of the taxable year.

(3) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
 PARAGRAPH, THE amount of the subtraction under paragraph (1) of this subsection is
 equal to:

17 [(i)] 1. \$3,750 for a taxable year beginning after December 31, 18 2013, but before January 1, 2015;

19[(ii)]2.\$4,000 for a taxable year beginning after December 31,202014, but before January 1, 2016;

[(iii)] 3. \$4,250 for a taxable year beginning after December 31,
2015, but before January 1, 2017;

23[(iv)]4.\$4,500 for a taxable year beginning after December 31,242016, but before January 1, 2018;

[(v)] 5. \$4,750 for a taxable year beginning after December 31,
26 2017, but before January 1, 2019; and

27[(vi)] 6.\$5,000 for a taxable year beginning after December 31,282018.

(II) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31,
2017, THE AMOUNT OF THE SUBTRACTION UNDER PARAGRAPH (1) OF THIS
SUBSECTION IS EQUAL TO \$15,000 FOR AN INDIVIDUAL WHO:

321.IS AT LEAST 60 BUT LESS THAN 65 YEARS OLD ON THE33LAST DAY OF THE TAXABLE YEAR; AND

$ \begin{array}{c} 1 \\ 2 \\ 3 \\ 4 \end{array} $	2. HAS MAINTAINED ACTIVE STATUS FOR AT LEAST 25 YEARS UNDER A VOLUNTEER FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES PERSONNEL OR AUXILIARY LENGTH OF SERVICE AWARD PROGRAM OR A POINT SYSTEM ESTABLISHED IN LIEU OF A LENGTH OF SERVICE AWARD PROGRAM.						
$5 \\ 6$	(4) (i) Each fire, rescue, or emergency medical services organization or auxiliary organization shall:						
$7 \\ 8$	1. maintain a record of the points earned by each individual during each calendar year;						
9 10	2. provide each member a report identifying the number of points earned in each category by February 15 of the following year; and						
11 12 13 14	3. provide a report that includes the names, Social Security numbers, and points earned by those members qualifying for the subtraction modification under this subsection to the Maryland State Firemen's Association by May 1 of the following year.						
$15 \\ 16 \\ 17 \\ 18$	(ii) An individual may not qualify for the subtraction under this subsection based on membership in the United States Coast Guard Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol unless the United States Coast Guard Auxiliary, the Maryland Defense Force, or the Maryland Civil Air Patrol:						
$\begin{array}{c} 19\\ 20 \end{array}$	1. maintains a record of the points earned by each individual during each calendar year;						
$\begin{array}{c} 21 \\ 22 \end{array}$	2. provides each member a report identifying the number of points earned in each category by February 15 of the following year; and						
$23 \\ 24 \\ 25$	3. provides a report that includes the names, Social Security numbers, and points earned by those members qualifying for the subtraction modification under this subsection to the Comptroller on or before October 1 of each year.						
26 27 28	(5) To qualify for the subtraction modification under this subsection, an individual shall attach to the individual's income tax return a copy of the report provided by the organization under paragraph (4) of this subsection.						
29 30 31 32 33 34	(6) On or before October 1 of each year, the Maryland State Firemen's Association shall submit to the Department of Public Safety and Correctional Services and the Office of the Comptroller a report stating the participation in the point system by the various local subdivisions with the names and Social Security numbers of individuals who qualified for the subtraction modification under this subsection for the preceding taxable year.						
$\frac{35}{36}$	(7) (i) A person may not knowingly make or cause any false statement or report to be made in any application or in any document required under this subsection.						

1 (ii) Any person who violates or attempts to violate any provision of 2 subparagraph (i) of this paragraph shall be subject to a fine of \$1,000.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 4 1, 2018.