

## Chapter 604

**(Senate Bill 153)**

AN ACT concerning

**Income Tax Credit – Oyster Shell Recycling Credit – ~~Sunset Extension~~  
Maximum Allowable Amount and Sunset ~~Repeal~~ Extension**

FOR the purpose of ~~extending the termination date of a certain tax credit allowed for oyster shell recycling~~ increasing the maximum allowable amount of a certain credit against the State income tax for certain bushels of oyster shells recycled during a taxable year; ~~repealing~~ extending for a certain number of years certain termination provisions related to the credit; providing for the application of certain provisions of this Act; and generally relating to an income tax credit for oyster shell recycling.

BY repealing and reenacting, ~~without~~ with amendments,

Article – Tax – General

Section 10–724.1

Annotated Code of Maryland

(2016 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Chapter 278 of the Acts of the General Assembly of 2013

Section 2

BY repealing and reenacting, with amendments,

Chapter 279 of the Acts of the General Assembly of 2013

Section 2

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

**Article – Tax – General**

10–724.1.

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

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

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

(i) ~~\$750~~ **\$1,500**; or

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### **Chapter 278 of the Acts of 2013**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. *It shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.* ~~It shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

#### **Chapter 279 of the Acts of 2013**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. *It shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.* ~~It shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2017.

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

**Approved by the Governor, May 15, 2018.**