

SENATE BILL 995

Q4

9lr2841

By: **Senator Serafini**

Introduced and read first time: February 20, 2019

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax – Tangible Personal Property – Office Counters and Cabinets**

3 FOR the purpose of excluding certain types of counters, countertops, and cabinetry
4 installed in certain office spaces from the definition of “tangible personal property”
5 that is taxable under the sales and use tax; and generally relating to the sales and
6 use tax on tangible personal property.

7 BY repealing and reenacting, without amendments,

8 Article – Tax – General

9 Section 11–101(a) and (h)(1)(i)

10 Annotated Code of Maryland

11 (2016 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Tax – General

14 Section 11–101(k)

15 Annotated Code of Maryland

16 (2016 Replacement Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Tax – General**

20 11–101.

21 (a) In this title the following words have the meanings indicated.

22 (h) (1) “Retail sale” means the sale of:

23 (i) tangible personal property; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (k) (1) “Tangible personal property” means:
- 2 (i) corporeal personal property of any nature; or
- 3 (ii) an accommodation.
- 4 (2) “Tangible personal property” includes:
- 5 (i) farm equipment;
- 6 (ii) wall-to-wall carpeting that is installed into real estate,
- 7 regardless of the purpose, method, or permanency of its installation; and
- 8 (iii) coal, electricity, oil, nuclear fuel assemblies, steam, and artificial
- 9 or natural gas.

10 **(3) “TANGIBLE PERSONAL PROPERTY” DOES NOT INCLUDE**

11 **COUNTERS, COUNTERTOPS, OR CABINETS INSTALLED IN RESIDENTIAL OR**

12 **COMMERCIAL OFFICE SPACES IF THE COUNTERS, COUNTERTOPS, OR CABINETS**

13 **ARE AFFIXED OR ATTACHED TO THE REAL ESTATE AND SOLD ON A FURNISHED AND**

14 **INSTALLED BASIS.**

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

16 1, 2019.