SENATE BILL 580

By: **Senator Guzzone** Introduced and read first time: January 25, 2024 Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

Sales and Use Tax – Nonprofit Organizations Maintaining Memorials - Exemption

- FOR the purpose of providing that the sales and use tax does not apply to a sale by a
 nonprofit organization that maintains a memorial on property that is owned by the
 State, subject to a certain limitation; and generally relating to exemptions from the
 sales and use tax.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Tax General
- 10 Section 11–204(b)(6) and (7)
- 11 Annotated Code of Maryland
- 12 (2022 Replacement Volume and 2023 Supplement)
- 13 BY adding to
- 14 Article Tax General
- 15 Section 11–204(b)(8)
- 16 Annotated Code of Maryland
- 17 (2022 Replacement Volume and 2023 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 19 That the Laws of Maryland read as follows:

Article – Tax – General

- 21 11–204.
- 22 (b) The sales and use tax does not apply to a sale by:
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(6) a parent-teacher organization or other organization within an

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



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SENATE BILL 580

1	elementary or secondary school in the State or within a school system in the State; [or]
$2 \\ 3 \\ 4$	(7) subject to subsection (e) of this section, a bona fide church, religious organization, or other nonprofit organization exempt from taxation under § $501(c)(3)$ of the Internal Revenue Code if:
5	(i) the sale is made at an auction sale; and
6 7	(ii) the proceeds of the sale are used to carry on the exempt purposes of the church or organization; OR
8	(8) A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER §
9	501(C)(3) OF THE INTERNAL REVENUE CODE THAT MAINTAINS A MEMORIAL ON
10	PROPERTY THAT IS OWNED BY THE STATE IF THE PROCEEDS OF THE SALE ARE USED
11	TO MAINTAIN A MEMORIAL ON PROPERTY THAT IS OWNED BY THE STATE.
$\begin{array}{c} 12\\ 13 \end{array}$	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

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