
**By: Delegates Rawlings, Marriott, Harrison, Opara, Branch, C. Mitchell, Fulton,
Nathan-Pulliam, E. Burns, and Parker**

Introduced and read first time: February 19, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax - Permanent Seat Licenses**

3 FOR the purpose of including a permanent seat license for a seat at certain professional
4 sports stadiums within the definition of tangible personal property for purposes of
5 the sales and use tax; providing an exception to a certain exemption under the sales
6 and use tax; requiring the Comptroller to distribute certain sales and use tax
7 revenue to a certain authority established by the Mayor and City Council of
8 Baltimore City; making this Act subject to a certain contingency; and generally
9 relating to the sales and use taxation of permanent seat licenses for seats at certain
10 professional sports stadiums.

11 BY repealing and reenacting, with amendments,

12 Article - Tax - General

13 Section 2-1303, 11-101(i)(1), and 11-221(a)(1)

14 Annotated Code of Maryland

15 (1988 Volume and 1995 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Tax - General**

19 2-1303.

20 After making the distributions required under §§ 2-1301 and 2-1302 of this subtitle,
21 the Comptroller shall:

22 (1) DISTRIBUTE THE SALES AND USE TAX REVENUE DERIVED FROM
23 THE SALE OF PERMANENT SEAT LICENSES FOR SEATS AT A PROFESSIONAL SPORTS
24 STADIUM TO THE "CHILD FIRST" AUTHORITY ESTABLISHED BY THE MAYOR AND
25 CITY COUNCIL OF BALTIMORE UNDER ARTICLE II, § (64) OF THE CHARTER OF
26 BALTIMORE CITY; AND

27 (2) pay the remaining sales and use tax revenue into the General Fund of
28 the State.

2

1 11-101.

2 (i) (1) "Tangible personal property" means:

3 (i) corporeal personal property of any nature; [or]

4 (ii) a right to occupy a room or lodgings as a transient guest; OR

5 (III) A PERMANENT SEAT LICENSE FOR A SEAT AT A PROFESSIONAL
6 SPORTS STADIUM.

7 11-221.

8 (a) The sales and use tax does not apply to:

9 (1) a sale of an admission by a person whose gross receipts from the sale are
10 subject to the admissions and amusement tax, OTHER THAN A SALE OF A PERMANENT
11 SEAT LICENSE;

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
13 the taking effect of Chapter _____ (H.B. 1027) of the Acts of the General Assembly of
14 1996 and the establishment by the Mayor and City Council of Baltimore of a "Child First"
15 Authority as authorized under Chapter _____ (H.B. 1027) of the Acts of the General
16 Assembly of 1996, and if Chapter _____ does not become effective or if the Mayor and
17 City Council of Baltimore do not establish a "Child First" Authority as authorized under
18 Chapter _____, this Act shall be null and void without the necessity of further action by
19 the General Assembly. The Office of the Mayor shall notify in writing the Department of
20 Legislative Reference when a "Child First" Authority is created.

21 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of
22 this Act, this Act shall take effect July 1, 1996.