

(PRE-FILED)

By: Delegate Workman

Requested: October 11, 1996

Introduced and read first time: January 8, 1997

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 1997

CHAPTER _____

1 AN ACT concerning

2 **Inheritance Tax - Tax Rate - ~~Brother or Sister~~ Sibling of Decedent**

3 FOR the purpose of altering the inheritance tax rate for property that passes from a
 4 decedent to or for the use of a ~~brother or sister~~ sibling of the decedent; and
 5 providing for the application of this Act.

6 BY repealing and reenacting, with amendments,
 7 Article - Tax - General
 8 Section 7-204
 9 Annotated Code of Maryland
 10 (1988 Volume and 1996 Supplement)

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

13 **Article - Tax - General**

14 7-204.

15 (a) In this section, "clear value" means fair market value minus expenses.

16 (b) Except as provided in ~~subsection~~ SUBSECTIONS (c) AND (D) of this section,
 17 the inheritance tax rate is 10% of the clear value of the property that passes from a
 18 decedent.

19 (c) The inheritance tax rate is 1% of the clear value of:

20 (1) the property that passes from a decedent to or for the use of:

21 (i) a grandparent of the decedent;

2

1 (ii) a parent of the decedent;

2 (iii) a spouse of the decedent;

3 (iv) a child or other lineal descendant of the decedent;

4 (v) a stepparent or stepchild of the decedent; {or}

5 ~~(VI) A BROTHER OR SISTER OF THE DECEDENT; OR~~

6 {(vi)} ~~(VII)~~ a corporation if all of its stockholders consist of the surviving
7 spouse, parents, stepparents, stepchildren, lineal descendants of the decedent, and
8 spouses of the lineal descendants; and

9 (2) the first \$2,000 that passes from the decedent, by survivorship, to a
10 spouse of a lineal descendant of the decedent from savings accounts that the decedent
11 and spouse of the lineal descendant held jointly.

12 (d) THE INHERITANCE TAX RATE IS 7.5% OF THE CLEAR VALUE OF THE
13 PROPERTY THAT PASSES FROM A DECEDENT TO OR FOR THE USE OF THE
14 DECEDENT'S SIBLINGS.

15 (E) If a decedent died on or before May 31, 1975, the rate of the inheritance tax
16 is the rate in effect on the date of the decedent's death.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 1997 and shall be applicable to decedents dying on or after July 1, 1997.