

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL NO. 268

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Maryland" insert "Income Tax - Subtraction Modification for"; strike beginning with "- Income" in line 2 down through "Contributions" in line 3 and substitute "Earnings"; in line 4, after "Maryland" insert "individual"; strike beginning with "advance" in line 5 down through "under" in line 6 and substitute "amounts included in federal adjusted gross income as a result of a benefit furnished to a beneficiary pursuant to"; strike beginning with "in" in line 6 down through "with" in line 7 and substitute "under"; strike beginning with "providing" in line 8 down through "limitation" in line 9 and substitute "providing that the subtraction does not apply to certain refunds issued under the Program"; in line 11, strike "payments made under the" and substitute "amounts included in federal adjusted gross income as a result of benefits furnished under"; in line 14, strike "10-205(a) and 10-208(a)" and substitute "10-207(a)"; in line 19, strike "10-205(h)" and substitute "10-207(s)".

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 8 on page 2 through line 2 on page 3 and substitute:

"10-207.

(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(S) (1) IN THIS SUBSECTION "TUITION" MEANS THE CHARGES IMPOSED BY AN

(Over)

INSTITUTION OF HIGHER EDUCATION FOR ENROLLMENT AT THE INSTITUTION AND INCLUDES REGISTRATION AND ALL FEES REQUIRED AS A CONDITION OF ENROLLMENT.

(2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES ANY AMOUNT INCLUDED IN FEDERAL ADJUSTED GROSS INCOME AS A RESULT OF A BENEFIT FURNISHED TO A BENEFICIARY PURSUANT TO A HIGHER EDUCATION INVESTMENT CONTRACT UNDER THE MARYLAND HIGHER EDUCATION INVESTMENT PROGRAM.

(3) THE SUBTRACTION UNDER PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY TO A REFUND UNDER THE MARYLAND HIGHER EDUCATION INVESTMENT PROGRAM UNLESS THE REFUND IS APPLIED ON BEHALF OF THE BENEFICIARY TO THE COST OF TUITION AT AN INSTITUTION OF HIGHER EDUCATION.”.