

HOUSE BILL 880

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Q7

1998 Regular Session  
8r0495  
CF 8r0325

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By: **Delegate Hixson**

Introduced and read first time: February 12, 1998

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Admissions and Amusement Tax - Enterprise Zones**

3 FOR the purpose of authorizing a county or municipal corporation to exempt from the  
4 admissions and amusement tax gross receipts derived from any source within  
5 an enterprise zone; and generally relating to authorization for a county or  
6 municipal corporation to exempt from the admissions and amusement tax gross  
7 receipts derived from any source within an enterprise zone.

8 BY repealing and reenacting, with amendments,  
9 Article - Tax - General  
10 Section 4-104  
11 Annotated Code of Maryland  
12 (1988 Volume and 1997 Supplement)

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

15 **Article - Tax - General**

16 4-104.

17 (a) A county or a municipal corporation may exempt from the admissions and  
18 amusement tax gross receipts from any charge for admission or for merchandise,  
19 refreshments, or a service, if the gross receipts are used exclusively for community or  
20 civic improvement by a not for profit community association that is organized and  
21 operated to promote the general welfare of the community that the association serves  
22 and the net earnings of which do not inure to the benefit of any stockholder or  
23 member of the association.

24 (b) A county or a municipal corporation may exempt from the admissions and  
25 amusement tax gross receipts from any charge for admission to a concert or theatrical  
26 event of a not for profit organization that is organized to present or offer any of the  
27 performing arts.

1 (c) Wicomico County or a municipal corporation in Wicomico County may  
2 exempt, by ordinance or resolution, from the admissions and amusement tax gross  
3 receipts from any charge for use of tennis courts.

4 (D) (1) A COUNTY OR A MUNICIPAL CORPORATION MAY EXEMPT FROM THE  
5 ADMISSIONS AND AMUSEMENT TAX GROSS RECEIPTS DERIVED FROM ANY SOURCE  
6 WITHIN AN AREA DESIGNATED AS AN ENTERPRISE ZONE UNDER ARTICLE 83A, § 5-402  
7 OF THE CODE.

8 (2) NOTWITHSTANDING AN EXEMPTION UNDER PARAGRAPH (1) OF THIS  
9 SUBSECTION, A PERSON WHO DERIVES GROSS RECEIPTS FROM AN ADMISSIONS AND  
10 AMUSEMENT CHARGE WITHIN AN ENTERPRISE ZONE SHALL FILE RETURNS AND  
11 KEEP RECORDS AS REQUIRED UNDER SUBTITLE 2 OF THIS TITLE REGARDING ANY  
12 GROSS RECEIPTS THAT ARE EXEMPTED BY A COUNTY OR MUNICIPAL CORPORATION  
13 UNDER THIS SUBSECTION.

14 [(d)] (E) (1) An exemption of a class of activity by a county or municipal  
15 corporation does not alter the ability of the Stadium Authority to tax that class.

16 (2) An exemption of a class of activity by the Stadium Authority does not  
17 alter the ability of a county or municipal corporation to tax that class.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 1998.