

SENATE BILL 44

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Q7
SB 212/97 - B&T

1998 Regular Session
8lr0797

(PRE-FILED)

By: **Senator Craig**

Requested: November 14, 1997

Introduced and read first time: January 14, 1998

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Inheritance Tax - Tax Rate - Siblings, Nieces, and Nephews 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 certain relatives of the decedent; and providing for
5 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 (1997 Replacement Volume)

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 (c) of this section, the inheritance tax rate
17 is 10% of the clear value of the property that passes from a decedent.

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

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

20 (i) a grandparent of the decedent;

21 (ii) a parent of the decedent;

22 (iii) a spouse of the decedent;

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

1 (v) a stepparent or stepchild of the decedent; [or]
2 (VI) A BROTHER OR SISTER OF THE DECEDENT;
3 (VII) A NIECE OR NEPHEW OF THE DECEDENT; OR
4 [(vi)] (VIII) a corporation if all of its stockholders consist of the
5 surviving spouse, parents, stepparents, stepchildren, lineal descendants of the
6 decedent, and spouses of the lineal descendants; and

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

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 1998 and shall be applicable to decedents dying on or after July 1, 1998.