

HOUSE BILL 258

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Q7
HB 340/98 - W&M

1999 Regular Session
9lr0596
CF 9lr1779

By: **Delegates Mandel, Taylor, Bartlett, Bronrott, Burns, Conroy, Cryor, DeCarlo, Dembrow, Dewberry, Donoghue, Dypski, Fulton, Giannetti, Goldwater, Heller, Howard, Hurson, A. Jones, J. Kelly, K. Kelly, Klima, Kopp, La Vay, Leopold, Linton, Love, Menes, Mitchell, Mohorovic, Montague, D. Murphy, Palumbo, Pendergrass, Petzold, Ports, Rawlings, Riley, Rosso, Rzepkowski, Shank, Slade, Swain, Patterson, Nathan-Pulliam, Redmer, Baldwin, and Brinkley**

Introduced and read first time: February 3, 1999
Assigned to: Ways and Means

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; altering a certain
5 provision regarding the inheritance tax rate for property that passes from a
6 decedent to or for the use of certain corporations; and providing for the
7 application of this Act.

8 BY repealing and reenacting, with amendments,
9 Article - Tax - General
10 Section 7-204
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1998 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 7-204.

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

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

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

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

- 1 (i) a grandparent of the decedent;
- 2 (ii) a parent of the decedent;
- 3 (iii) a spouse of the decedent;
- 4 (iv) a child or other lineal descendant of the decedent;
- 5 (v) a stepparent or stepchild of the decedent; [or]
- 6 (VI) A BROTHER OR SISTER OF THE DECEDENT;
- 7 (VII) A NIECE OR NEPHEW OF THE DECEDENT; OR
- 8 [(vi)] (VIII) a corporation if all of its stockholders consist of the
9 surviving spouse, parents, stepparents, stepchildren, BROTHERS, SISTERS, NIECES,
10 NEPHEWS, AND lineal descendants of the decedent, and spouses of the lineal
11 descendants; and

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

15 (d) 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, 1999, and shall be applicable to decedents dying on or after July 1, 1999.