

HOUSE BILL 441

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Q3

1999 Regular Session
9lr2021
CF 9lr2284

By: **Delegates Doory, Owings, Slade, W. Baker, Rudolph, Love, Clagett, and
McHale**

Introduced and read first time: February 10, 1999

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 1999

CHAPTER _____

1 AN ACT concerning

2 **Income Tax - United States Coast Guard Auxiliary Members**

3 FOR the purpose of making certain members of the United States Coast Guard
4 Auxiliary eligible for a certain subtraction modification under the Maryland
5 income tax for qualifying volunteer fire, rescue, or emergency medical services
6 members; providing that an individual may not qualify for the subtraction
7 modification based on membership in the United States Coast Guard Auxiliary
8 unless the United States Coast Guard Auxiliary maintains certain records and
9 provides certain reports; providing for the application of this Act; and generally
10 relating to an income tax subtraction modification for certain members of the
11 United States Coast Guard Auxiliary.

12 BY repealing and reenacting, with amendments,
13 Article - Tax - General
14 Section 10-208(i-1)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1998 Supplement)

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

19 **Article - Tax - General**

20 10-208.

21 (i-1) (1) The subtraction under subsection (a) of this section includes an
22 amount equal to \$3,500 if an individual is a qualifying volunteer fire, rescue, or

1 emergency medical services member for the taxable year, as determined under
2 paragraph (2) of this subsection.

3 (2) An individual is a qualifying volunteer fire, rescue, or emergency
4 medical services member for the taxable year eligible for the subtraction modification
5 under this subsection if the individual:

6 (i) is an active member of a bona fide Maryland fire, rescue, or
7 emergency medical services organization OR OF THE UNITED STATES COAST GUARD
8 AUXILIARY;

9 (ii) serves the organization in a volunteer capacity without
10 compensation, except nominal expenses or meals;

11 (iii) 1. qualifies for active status during the taxable year under:

12 A. a volunteer fire, rescue, or emergency medical services
13 personnel length of service award program operated by a county or municipal
14 corporation of the State, if the length of service award program requires for active
15 status qualification a minimum of 50 points per year and that points be earned in at
16 least two different categories; or

17 B. a point system established by a county or municipal
18 corporation that does not operate a volunteer fire, rescue, or emergency medical
19 services personnel length of service award program OR BY THE UNITED STATES
20 COAST GUARD AUXILIARY, to identify active volunteer fire, rescue, or emergency
21 medical services members, if the point system requires for active status qualification
22 a minimum of 50 points per year and that points be earned in at least two different
23 categories; or

24 2. has maintained active status for at least 25 years under a
25 volunteer fire, rescue, or emergency medical services personnel length of service
26 award program or a point system established in lieu of a length of service award
27 program; and

28 (iv) will have been an active member of a bona fide Maryland fire,
29 rescue, or emergency medical services organization OR OF THE UNITED STATES
30 COAST GUARD AUXILIARY for at least 72 months during the last 10 calendar years by
31 December 31 of the taxable year.

32 (3) (I) Each fire, rescue, or emergency medical services organization
33 ~~AND THE UNITED STATES COAST GUARD AUXILIARY~~ shall:

34 (i) 1. maintain a record of the points earned by each individual
35 during each calendar year;

36 (ii) 2. provide each member a report identifying the number of
37 points earned in each category by February 15 of the following year; and

1 (iii) 3. provide a report that includes the names, Social Security
2 numbers, and points earned by those members qualifying for the subtraction
3 modification under this ~~section~~ SUBSECTION to the Maryland State Firemen's
4 Association by May 1 of the following year.

5 (II) AN INDIVIDUAL MAY NOT QUALIFY FOR THE SUBTRACTION
6 UNDER THIS SUBSECTION BASED ON MEMBERSHIP IN THE UNITED STATES COAST
7 GUARD AUXILIARY UNLESS THE UNITED STATES COAST GUARD AUXILIARY:

8 1. MAINTAINS A RECORD OF THE POINTS EARNED BY EACH
9 INDIVIDUAL DURING EACH CALENDAR YEAR;

10 2. PROVIDES EACH MEMBER A REPORT IDENTIFYING THE
11 NUMBER OF POINTS EARNED IN EACH CATEGORY BY FEBRUARY 15 OF THE
12 FOLLOWING YEAR; AND

13 3. PROVIDES A REPORT THAT INCLUDES THE NAMES,
14 SOCIAL SECURITY NUMBERS, AND POINTS EARNED BY THOSE MEMBERS
15 QUALIFYING FOR THE SUBTRACTION MODIFICATION UNDER THIS SUBSECTION TO
16 THE COMPTROLLER ON OR BEFORE OCTOBER 1 OF EACH YEAR.

17 (4) To qualify for the subtraction modification under this subsection, an
18 individual shall attach to the individual's income tax return a copy of the report
19 provided by the organization under paragraph (3) of this subsection.

20 (5) On or before October 1 of each year, the Maryland State Firemen's
21 Association shall submit to the Department of Public Safety and Correctional
22 Services and the Office of the Comptroller a report stating the participation in the
23 point system by the various local subdivisions ~~OR THE UNITED STATES COAST GUARD~~
24 ~~AUXILIARY~~ with the names and Social Security numbers of individuals who qualified
25 for the subtraction modification under this subsection for the preceding taxable year.

26 (6) (i) A person may not knowingly make or cause any false statement
27 or report to be made in any application or in any document required under this
28 subsection.

29 (ii) Any person who violates or attempts to violate any provision of
30 subparagraph (i) of this paragraph shall be subject to a fine of \$1,000.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 1999 and shall be applicable to all taxable years beginning after December 31,
33 1998.

