

SENATE BILL 183

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Q3  
HB 770/95 - W&M

1999 Regular Session  
9r1109

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By: **Senators Stone, Blount, Colburn, Collins, Conway, Dyson, Exum,  
Ferguson, Haines, Jacobs, Kelley, Teitelbaum, Della, and Sfikas**

Introduced and read first time: January 29, 1999

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax - Retirement Income**

3 FOR the purpose of altering the minimum age at which an individual is eligible for a  
4 certain subtraction modification under the Maryland income tax for certain  
5 retirement income; providing for the application of this Act; and generally  
6 relating to a certain subtraction modification for certain retirement income  
7 under the Maryland income tax.

8 BY repealing and reenacting, with amendments,  
9 Article - Tax - General  
10 Section 10-209  
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 10-209.

17 (a) To determine Maryland adjusted gross income, if, on the last day of the  
18 taxable year, a resident is at least [65] 62 years old or is totally disabled or the  
19 resident's spouse is totally disabled, an amount is subtracted from federal adjusted  
20 gross income equal to the lesser of:

21 (1) the cumulative or total annuity, pension, or endowment income from  
22 an employee retirement system included in federal adjusted gross income; or

23 (2) the maximum annual benefit under the Social Security Act computed  
24 under subsection (b) of this section, less any payment received as old age, survivors,  
25 or disability benefits under the Social Security Act, the Railroad Retirement Act, or  
26 both.

27 (b) For purposes of subsection (a)(2) of this section, the Comptroller:

1           (1)       shall determine the maximum annual benefit under the Social  
2 Security Act allowed for an individual who retired at age 65 for the prior calendar  
3 year; and

4           (2)       may allow the subtraction to the nearest \$100.

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 1999, and shall be applicable to all taxable years beginning after December 31,  
7 1998.