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By: **Delegates Shank, Donoghue, Hecht, K. Kelly, Stull, McKee, Bartlett,  
Snodgrass, Edwards, and Elliott**

Introduced and read first time: February 10, 2000

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax - Gain Recognized on Sale of Preservation or Conservation**  
3 **Easements**

4 FOR the purpose of providing a subtraction modification under the Maryland income  
5 tax for certain gain recognized on the sale or other disposition of an easement or  
6 other interest in land to certain preservation or conservation programs  
7 established by the State or a county; providing for the application of this Act;  
8 and generally relating to an income tax subtraction modification for certain gain  
9 recognized on the sale or other disposition of an easement or other interest in  
10 land to certain preservation or conservation programs.

11 BY repealing and reenacting, without amendments,  
12 Article - Tax - General  
13 Section 10-207(a)  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 1999 Supplement)

16 BY adding to  
17 Article - Tax - General  
18 Section 10-207(u)  
19 Annotated Code of Maryland  
20 (1997 Replacement Volume and 1999 Supplement)

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

23 **Article - Tax - General**

24 10-207.

25 (a) To the extent included in federal adjusted gross income, the amounts under  
26 this section are subtracted from the federal adjusted gross income of a resident to  
27 determine Maryland adjusted gross income.

1 (U) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES  
2 THE AMOUNT OF ANY GAIN RECOGNIZED ON THE SALE OR OTHER DISPOSITION OF A  
3 PRESERVATION OR CONSERVATION EASEMENT OR OTHER INTEREST IN LAND TO:

4 (1) THE RURAL LEGACY PROGRAM ESTABLISHED UNDER TITLE 5,  
5 SUBTITLE 9A OF THE NATURAL RESOURCES ARTICLE;

6 (2) THE MARYLAND ENVIRONMENTAL TRUST ESTABLISHED UNDER  
7 TITLE 3, SUBTITLE 2 OF THE NATURAL RESOURCES ARTICLE;

8 (3) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION  
9 ESTABLISHED UNDER TITLE 2, SUBTITLE 5 OF THE NATURAL RESOURCES ARTICLE;

10 (4) AN AGRICULTURAL LAND PRESERVATION PROGRAM OR  
11 TRANSFERABLE DEVELOPMENT RIGHTS PROGRAM ESTABLISHED BY A COUNTY; OR

12 (5) THE MARYLAND HISTORICAL TRUST ESTABLISHED UNDER TITLE 5,  
13 SUBTITLE 6 OF ARTICLE 83B OF THE CODE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 July 1, 2000 and shall be applicable to all taxable years beginning after December 31,  
16 1999.