

HOUSE BILL 1303

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Q3

2000 Regular Session
0lr2763

By: **Delegates Conway, W. Baker, Bohanan, Bozman, D'Amato, Donoghue,
Eckardt, Edwards, Guns, James, Malone, McClenahan, Moe, Riley,
Rudolph, Schisler, Walkup, and Wood**

Introduced and read first time: February 18, 2000

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax - Subtraction Modification for Fire, Rescue, or Emergency**
3 **Medical Services Membership**

4 FOR the purpose of reducing over the course of a certain number of years the duration
5 of service required in bona fide Maryland volunteer fire, rescue, or emergency
6 medical service organizations for an individual to be eligible for a subtraction
7 modification under the Maryland income tax; making technical changes;
8 providing for the application of this Act; and generally relating to a subtraction
9 modification under the Maryland income tax for service in certain volunteer
10 fire, rescue, or emergency medical service organizations.

11 BY repealing and reenacting, with amendments,
12 Article - Tax - General
13 Section 10-208(i-1)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1999 Supplement)

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

18 **Article - Tax - General**

19 10-208.

20 (i-1) (1) The subtraction under subsection (a) of this section includes an
21 amount equal to \$3,500 if an individual is a qualifying volunteer fire, rescue, or
22 emergency medical services member for the taxable year, as determined under
23 paragraph (2) of this subsection.

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

1 (i) is an active member of a bona fide Maryland fire, rescue, or
2 emergency medical services organization or of the United States Coast Guard
3 Auxiliary;

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

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

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

12 B. a point system established by a county or municipal
13 corporation that does not operate a volunteer fire, rescue, or emergency medical
14 services personnel length of service award program or by the United States Coast
15 Guard Auxiliary, to identify active volunteer fire, rescue, or emergency medical
16 services members, if the point system requires for active status qualification a
17 minimum of 50 points per year and that points be earned in at least two different
18 categories; or

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

23 (iv) will have been an active member of:

24 1. a bona fide Maryland fire, rescue, or emergency medical
25 services organization [or of the United States Coast Guard Auxiliary for at least 72
26 months] during the last 10 calendar years by December 31 of the taxable year FOR AT
27 LEAST:

28 A. 72 MONTHS AFTER DECEMBER 31, 1999;

29 B. 60 MONTHS AFTER DECEMBER 31, 2000;

30 C. 48 MONTHS AFTER DECEMBER 31, 2001; AND

31 D. 36 MONTHS AFTER DECEMBER 31, 2002; OR

32 2. THE UNITED STATES COAST GUARD AUXILIARY DURING
33 THE LAST 10 CALENDAR YEARS BY DECEMBER 31 OF THE TAXABLE YEAR FOR AT
34 LEAST 72 MONTHS.

35 (3) (i) Each fire, rescue, or emergency medical services organization
36 shall:

1. maintain a record of the points earned by each individual during each calendar year;

3 2. provide each member a report identifying the number of
4 points earned in each category by February 15 of the following year; and

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

9 (ii) An individual may not qualify for the subtraction under this
10 subsection based on membership in the United States Coast Guard Auxiliary unless
11 the United States Coast Guard Auxiliary:

12 1. maintains a record of the points earned by each individual
13 during each calendar year;

14 2. provides each member a report identifying the number of
15 points earned in each category by February 15 of the following year; and

16 3. provides a report that includes the names, Social Security
17 numbers, and points earned by those members qualifying for the subtraction
18 modification under this subsection to the Comptroller on or before October 1 of each
19 year.

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

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

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

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

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 July 1, 2000 and shall be applicable to all taxable years beginning after December 31,
36 1999.