

HOUSE BILL 19

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2001 Regular Session
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(PRE-FILED)

By: **Delegates Leopold and Finifter**

Requested: June 26, 2000

Introduced and read first time: January 10, 2001

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax - Subtraction Modification - Police Auxiliary or Reserve**
3 **Volunteer**

4 FOR the purpose of altering the application of a certain subtraction modification
5 under the Maryland State income tax for certain qualifying active members of a
6 bona fide Maryland police agency; authorizing certain police auxiliary and
7 reserve volunteers to qualify for a certain subtraction modification; altering
8 certain qualifications for a certain subtraction modification; requiring a bona
9 fide Maryland police agency to maintain certain records and provide certain
10 reports; providing for the application of this Act; and generally relating to an
11 income tax subtraction modification for certain members of a police auxiliary or
12 reserve volunteer program.

13 BY repealing and reenacting, without amendments,
14 Article - Tax - General
15 Section 10-208(a)
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Tax - General
20 Section 10-208(l)
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 2000 Supplement)

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

Article - Tax - General

10-208.

(a) In addition to the modification under § 10-207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(1) The subtraction under subsection (a) of this section includes an amount equal to \$3,500 if an individual is a qualifying [volunteer police officer] POLICE AUXILIARY OR RESERVE VOLUNTEER for the taxable year, as determined under paragraph (2) of this subsection.

(2) An individual is a qualifying [volunteer police officer] POLICE AUXILIARY OR RESERVE VOLUNTEER for the taxable year eligible for the subtraction modification under this subsection if the individual:

(i) is an active member of a bona fide Maryland police agency;

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

(iii) 1. qualifies for active status during the taxable year under a [volunteer police length of service award] POLICE AUXILIARY OR RESERVE VOLUNTEER program [established] APPROVED by the Police Training Commission in conjunction with the Maryland Association of Counties and the Maryland Municipal League, that includes uniform systems for qualification[, certification,] and record keeping, if the program is incorporated into the police agency's rules and regulations; or

2. has maintained active status for at least 25 years under the [volunteer police length of service award] POLICE AUXILIARY OR RESERVE VOLUNTEER program; and

(iv) will have been an active member of a bona fide police agency for at least 72 months during the last 10 calendar years by December 31 of the taxable year.

(3) Each police agency shall:

(i) maintain a record of the activities of each [volunteer police officer] POLICE AUXILIARY OR RESERVE VOLUNTEER during the calendar year;

(ii) provide each member a report by February 15 of the following year indicating that the member qualified during the preceding calendar year; and

(iii) provide a report that includes the names, Social Security numbers, and a certification that the officer qualified for the subtraction modification under this section.

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

4 (5) On or before October 1 of each year, the police agency shall submit to
5 the Department of Public Safety and Correctional Services and the Office of the
6 Comptroller a report listing the names and Social Security numbers of individuals
7 who qualified for the subtraction modification under this subsection for the preceding
8 taxable year.

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2001 and shall be applicable to all taxable years beginning after December 31,
16 2000.