
By: **Delegates O'Donnell, Hurson, Owings, Klausmeier, and Schisler**
Introduced and read first time: February 8, 2002
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax - Exemption - Aquaculturally Raised Oysters**

3 FOR the purpose of providing for an exemption from the sales and use tax for the sale
4 of certain items relating to aquaculturally raised oysters; defining certain
5 terms; and generally relating to a sales and use tax exemption for the sale of
6 items relating to aquaculturally raised oysters.

7 BY adding to
8 Article - Tax - General
9 Section 11-229
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 2001 Supplement)

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

14 **Article - Tax - General**

15 11-229.

16 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS
17 INDICATED.

18 (2) "AQUACULTURALLY RAISED OYSTERS" MEANS OYSTERS REARED
19 COMMERCIALY FOR SALE, TRADE, BARTER, OR SHIPMENT.

20 (3) "FEED AND HABITAT" INCLUDES CULTURED ALGAE.

21 (B) THE SALES AND USE TAX DOES NOT APPLY TO A SALE OF THE FOLLOWING
22 ITEMS FOR A PURPOSE RELATED TO AQUACULTURALLY RAISED OYSTERS:

23 (1) AQUACULTURALLY RAISED OYSTERS;

24 (2) FEED AND HABITAT;

25 (3) BROOD STOCK;

1 (4) FERTILIZER;

2 (5) FUNGICIDE, HERBICIDE, OR INSECTICIDE;

3 (6) MATERIALS USED TO CONSTRUCT AQUACULTURE OYSTER FLOATS;
4 AND

5 (7) IF PURCHASED BY A PERSON OR ENTITY ENGAGED IN REARING
6 AQUACULTURALLY RAISED OYSTERS:

7 (I) A CLASS E (TRUCK) VEHICLE WITH A 1-TON OR LESS
8 MANUFACTURER'S RATED CAPACITY, USED IN ACTIVITIES RELATING TO
9 AQUACULTURALLY RAISED OYSTERS; AND

10 (II) ANY EQUIPMENT AND MATERIAL USED TO PREPARE, IRRIGATE,
11 GROW, SERVICE, HARVEST, STORE, CLEAN, DRY, PACKAGE, OR TRANSPORT
12 AQUACULTURALLY RAISED OYSTERS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2002.