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By: **Delegate Marriott (By Request - Baltimore City Administration) and  
Delegates Carter, C. Davis, Doory, Fulton, Goodwin, Hammen,  
Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Paige, and  
Rosenberg**

Introduced and read first time: February 2, 2004  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Political Subdivisions - Special Grant to a County - Disparity Grant**  
3 **Formula**

4 FOR the purpose of altering the disparity grant formula used by the Comptroller to  
5 determine the amount of a certain grant to counties under certain  
6 circumstances; providing for the application of this Act; and generally relating to  
7 the disparity grant formula used by the Comptroller to give a certain grant to  
8 counties under certain circumstances.

9 BY repealing and reenacting, with amendments,  
10 Article 24 - Political Subdivisions - Miscellaneous Provisions  
11 Section 9-1101  
12 Annotated Code of Maryland  
13 (2001 Replacement Volume and 2003 Supplement)

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

16 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

17 9-1101.

18 (a) (1) For each fiscal year, the Comptroller shall distribute to a county the  
19 amount determined for each county under this section.

20 (2) The amount a county shall receive under this section in any fiscal  
21 year shall be based on the county income tax collected from individuals for the  
22 taxable year that ended in the second prior fiscal year, from returns filed through  
23 August 15 immediately preceding the applicable fiscal year, as determined by the  
24 Comptroller.

1 (b) (1) For each fiscal year, the Comptroller shall determine as rounded to  
2 the nearest cent:

3 (i) The per capita yield of the county income tax for each county,  
4 based on:

5 1. Unless a county income tax rate of other than [2.54%]  
6 2.59% was in effect, the receipts described in subsection (a)(2) of this section;

7 2. The population of the county as last projected by the  
8 Department of Health and Mental Hygiene for July 1 of the applicable taxable year or  
9 the latest decennial census for the applicable taxable year; and

10 3. If the county income tax rate is other than [2.54%] 2.59%  
11 in the applicable taxable year, the receipts described in subsection (a)(2) of this  
12 section that would have been received if a county income tax rate of [2.54%] 2.59%  
13 had been in effect; and

14 (ii) The per capita statewide yield of the county income tax, based  
15 on:

16 1. The total receipts for county income tax described in  
17 subsection (a)(2) of this section for counties with an income tax rate of [2.54%] 2.59%  
18 in effect;

19 2. The State population as last projected by the Department  
20 of Health and Mental Hygiene for July 1 of the applicable taxable year or the latest  
21 decennial census for the applicable taxable year; and

22 3. For counties with an income tax rate of other than  
23 [2.54%] 2.59% in effect, the total receipts for county income tax described in  
24 subsection (a)(2) of this section that would have been received if a county income tax  
25 rate of [2.54%] 2.59% had been in effect.

26 (2) If the per capita yield of the county income tax for a county  
27 determined under paragraph (1)(i) of this subsection is less than [75%] 77.5% of the  
28 per capita statewide yield of the county income tax determined under paragraph  
29 (1)(ii) of this subsection, the Comptroller shall determine the amount that would  
30 increase the county per capita yield to equal [75%] 77.5% of the statewide per capita  
31 yield, as rounded to the nearest dollar.

32 (3) A county may not receive a distribution under this subsection if the  
33 county tax rate in that county was less than 2.4%:

34 (i) For the taxable year that ended in the second prior fiscal year;  
35 or

36 (ii) For any subsequent taxable year through the taxable year that  
37 ends in the current fiscal year.

1 (c) The Comptroller shall make payments of the additional amounts provided  
2 under this section quarterly during the fiscal year for which the payment is made.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
4 construed to apply only prospectively and may not be applied or interpreted to have  
5 any effect on or application to the calculation of any special grant by the Comptroller  
6 before the effective date of this Act.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2004.