
By: **Delegates Hixson, Franchot, Heller, and Murray**
Introduced and read first time: February 19, 2004
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Tax Credit for Cost of Automated External Defibrillator**

3 FOR the purpose of allowing an individual or business entity to claim a credit against
4 the State income tax in a certain amount for the purchase price of an automated
5 external defibrillator under certain conditions; providing that the credit may not
6 exceed the lesser of a certain amount or the State income tax for that taxable
7 year and that any unused credit may not be carried over to any other taxable
8 year; defining certain terms; and generally relating to a tax credit against the
9 State income tax for the purchase price of an automated external defibrillator.

10 BY adding to
11 Article - Tax - General
12 Section 10-725
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2003 Supplement)

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

17 **Article - Tax - General**

18 10-725.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "AUTOMATED EXTERNAL DEFIBRILLATOR" MEANS A MEDICAL
22 HEART MONITOR AND DEFIBRILLATOR DEVICE THAT:

23 (I) IS CLEARED FOR MARKET BY THE FEDERAL FOOD AND DRUG
24 ADMINISTRATION;

25 (II) RECOGNIZES THE PRESENCE OR ABSENCE OF VENTRICULAR
26 FIBRILLATION OR VAPID VENTRICULAR TACHYCARDIA;

1 (III) DETERMINES, WITHOUT INTERVENTION BY AN OPERATOR,
2 WHETHER DEFIBRILLATION SHOULD BE PERFORMED;

3 (IV) AFTER A DETERMINATION THAT DEFIBRILLATION SHOULD BE
4 PERFORMED, AUTOMATICALLY CHARGES; AND

5 (V) OPERATES IN A MANNER THAT:

6 1. REQUIRES OPERATOR INTERVENTION TO DELIVER AN
7 ELECTRICAL IMPULSE; OR

8 2. AUTOMATICALLY CONTINUES WITH DELIVERY OF AN
9 ELECTRICAL IMPULSE.

10 (3) "BUSINESS ENTITY" MEANS A PERSON CONDUCTING OR OPERATING
11 A TRADE OR BUSINESS IN THE STATE.

12 (B) SUBJECT TO THE PROVISIONS OF THIS SECTION, AN INDIVIDUAL OR
13 BUSINESS ENTITY MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN
14 AMOUNT EQUAL TO 25% OF THE PURCHASE PRICE OF ONE AUTOMATED EXTERNAL
15 DEFIBRILLATOR DURING THE TAXABLE YEAR.

16 (C) THE CREDIT ALLOWED UNDER THIS SECTION IS ONLY APPLICABLE IF THE
17 AUTOMATED EXTERNAL DEFIBRILLATOR IS PURCHASED FOR USE IN THE
18 INDIVIDUAL'S OR BUSINESS ENTITY'S PLACE OF BUSINESS.

19 (D) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS
20 SECTION MAY NOT EXCEED THE LESSER OF:

21 (I) \$500; OR

22 (II) THE STATE INCOME TAX IMPOSED FOR THE TAXABLE YEAR,
23 CALCULATED BEFORE THE APPLICATION OF THE CREDITS ALLOWED UNDER THIS
24 SECTION AND UNDER §§ 10-701 AND 10-701.1 OF THIS SUBTITLE BUT AFTER THE
25 APPLICATION OF ANY OTHER CREDIT ALLOWED UNDER THIS SUBTITLE.

26 (2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED OVER
27 TO ANY OTHER TAXABLE YEAR.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2004 and shall be applicable to all taxable years beginning after December 31,
30 2004.