

SENATE BILL 453

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Q4

2004 Regular Session
4r1980

By: **Senator Brinkley**

Introduced and read first time: February 5, 2004

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 30, 2004

CHAPTER_____

1 AN ACT concerning

2 **Sales and Use Tax - Modular Buildings**

3 FOR the purpose of providing that for the sale of certain modular buildings the sales
4 and use tax rate is to be applied to a certain percentage of the taxable price for
5 the sale; defining a certain term; and generally relating to the application of the
6 sales and use tax to the sale of certain modular buildings in the State.

7 BY adding to
8 Article - Tax - General
9 Section 11-104(e)
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 2003 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 11-104.

16 (E) (1) IN THIS SUBSECTION, "MODULAR BUILDING" INCLUDES
17 SINGLE-FAMILY OR MULTIFAMILY HOUSES, APARTMENT UNITS, OR COMMERCIAL
18 BUILDINGS, AND PERMANENT ADDITIONS TO SINGLE-FAMILY OR MULTIFAMILY
19 HOUSES, APARTMENT UNITS, OR COMMERCIAL BUILDINGS, COMPRISED OF ONE OR
20 MORE SECTIONS THAT ARE:

21 (I) INTENDED TO BECOME REAL PROPERTY;

1 (II) PRIMARILY CONSTRUCTED AT A LOCATION OTHER THAN THE
2 PERMANENT SITE AT WHICH THEY ARE TO BE ASSEMBLED;

3 (III) BUILT TO COMPLY WITH THE STANDARDS FOR
4 INDUSTRIALIZED BUILDINGS UNDER TITLE 12, SUBTITLE 3 OF THE PUBLIC SAFETY
5 ARTICLE; AND

6 (IV) SHIPPED WITH MOST PERMANENT COMPONENTS IN PLACE.

7 (2) THE SALES AND USE TAX RATE FOR THE SALE OF A MODULAR
8 BUILDING IS THE RATE IMPOSED UNDER SUBSECTION (A) OF THIS SECTION APPLIED
9 TO 60% OF THE TAXABLE PRICE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2004.