

(PRE-FILED)

By: ~~Delegate Franchot~~ Delegates Franchot, Healey, Marriott, McKee, Ramirez, and Ross

Requested: November 10, 2004

Introduced and read first time: January 12, 2005

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2005

CHAPTER _____

1 AN ACT concerning

2 ~~Sales and Use Tax Exemption~~ University and College Textbooks ;
3 Consortium

4 FOR the purpose of ~~providing an exemption from the sales and use tax for a sale of~~
5 ~~certain textbooks bought by certain individuals; defining a certain term; and~~
6 ~~generally relating to a sales and use tax exemption for the sale of university and~~
7 ~~college textbooks~~ establishing the University Textbook Consortium within the
8 University System of Maryland; stating the purpose of the Consortium;
9 requiring the Board of Regents of the University System of Maryland to
10 establish certain policies and procedures on or before a certain date; and
11 generally relating to the establishment of the University Textbook Consortium.

12 ~~BY adding to~~
13 ~~Article - Tax - General~~
14 ~~Section 11-230~~
15 ~~Annotated Code of Maryland~~
16 ~~(2004 Replacement Volume)~~

17 BY adding to
18 Article - Education
19 Section 12-114
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2004 Supplement)

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

3 ~~Article - Tax - General~~

4 ~~41-230.~~

5 (A) ~~IN THIS SECTION, "TEXTBOOK" MEANS A BOOK:~~

6 ~~(1) WRITTEN, DESIGNED, AND PRODUCED FOR EDUCATIONAL,~~
7 ~~INSTRUCTIONAL, OR PEDAGOGICAL PURPOSES; AND~~

8 ~~(2) REQUIRED FOR A COURSE AT AN INSTITUTION OF HIGHER~~
9 ~~EDUCATION AS DEFINED UNDER § 10-101(F) OF THE EDUCATION ARTICLE.~~

10 (B) ~~THE SALES AND USE TAX DOES NOT APPLY TO A SALE OF A TEXTBOOK~~
11 ~~THAT IS BOUGHT BY A FULL TIME OR PART TIME STUDENT ENROLLED AT AN~~
12 ~~INSTITUTION OF HIGHER EDUCATION.~~

13 (C) ~~AN INDIVIDUAL MAY ESTABLISH FULL TIME OR PART TIME STUDENT~~
14 ~~STATUS BY PRODUCING A VALID STUDENT IDENTIFICATION CARD AT THE TIME OF~~
15 ~~PURCHASE OF THE TEXTBOOK.~~

16 Article - Education

17 12-114.

18 (A) THERE IS A UNIVERSITY TEXTBOOK CONSORTIUM WITHIN THE
19 UNIVERSITY SYSTEM OF MARYLAND.

20 (B) THE PURPOSE OF THE UNIVERSITY TEXTBOOK CONSORTIUM IS TO
21 ENABLE CONSTITUENT INSTITUTIONS TO RECEIVE A VOLUME DISCOUNT ON THE
22 PURCHASE OF TEXTBOOKS AND OTHER EDUCATIONAL SUPPLIES.

23 (C) THE UNIVERSITY SYSTEM OFFICE OR ITS DESIGNEE SHALL COORDINATE
24 THE PURCHASE AND DISTRIBUTION OF TEXTBOOKS AND OTHER EDUCATIONAL
25 SUPPLIES TO PARTICIPATING INSTITUTIONS.

26 (D) PARTICIPATION IN THE UNIVERSITY TEXTBOOK CONSORTIUM BY
27 CONSTITUENT INSTITUTIONS IS VOLUNTARY.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Regents of
29 the University System of Maryland shall establish policies and procedures necessary
30 to implement this Act on or before December 1, 2005.

31 SECTION ~~2-3~~. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect July 1, 2005.

