

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 35  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Miller” and substitute “Miller, Aumann, Bartlett, Benson, Bohanan, Boteler, Bozman, Brown, Cane, Cardin, G. Clagett, V. Clagett, Cluster, Conroy, Conway, C. Davis, DeBoy, Donoghue, Dwyer, Eckardt, Edwards, Elliott, Elmore, Frank, Gilleland, Goodwin, Gordon, Griffith, Haddaway, Hammen, Healey, Heller, Hixson, Hogan, Holmes, Howard, Hubbard, Impallaria, Jameson, Jennings, Kach, Kelly, King, Kohl, Krebs, Krysiak, Kullen, Leopold, Levy, Malone, Mandel, Marriott, Mayer, McComas, McConkey, McDonough, McHale, McKee, Moe, Myers, Nathan-Pulliam, O’Donnell, Parrott, Patterson, Petzold, Proctor, Ramirez, Ross, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, Vallario, Weir, Weldon, Wood, and Zirkin”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Military”; strike beginning with “over” in line 4 down through “income” in line 10 and substitute “; providing a certain subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident’s employment as a law enforcement officer or the individual’s service as fire, rescue, or emergency services personnel; reducing the amount of certain subtraction modifications allowed if certain income of the individual exceeds certain amounts; providing that retirement income that is included in the subtraction modification may not be taken into account for purposes of a certain subtraction modification allowed under the income tax for certain individuals who are at least a certain age or who are disabled or have disabled spouses; providing for the application of this Act; and generally relating to the Maryland income taxation of certain retirement income”; and after line 20, insert:

“BY adding to

Article - Tax - General

Section 10-207(q-1)

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)”.

(Over)

### AMENDMENT NO. 3

On page 2, in lines 8 and 25, in each instance, before “MILITARY” insert “ACTIVE”; and strike beginning with “ACTIVE” in line 17 down through “INCLUSIVE” in line 23 and substitute “WITH RESPECT TO A PERSON SEPARATED FROM EMPLOYMENT ON OR AFTER JULY 1, 1991, ACTIVE DUTY WITH THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE, THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, OR THE COAST AND GEODETIC SURVEY”.

### AMENDMENT NO. 4

On page 2, in line 26, strike “EXCEPT AS PROVIDED IN” and substitute “SUBJECT TO”; strike beginning with “[the” in line 27 down through “retirement” in line 32 and substitute “THE FIRST \$10,000 OF MILITARY RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING THE TAXABLE YEAR, IF THE INDIVIDUAL IS AT LEAST 55 YEARS OLD ON THE LAST DAY OF THE TAXABLE YEAR”; in line 33, strike “(2)” and substitute “(3)”; in the same line, strike “(1)” and substitute “(2)”; and in the same line, strike the colon.

On page 3, in line 1, strike “(i)”; strike beginning with “50%” in line 1 down through “2011” in line 17 and substitute “THE AMOUNT BY WHICH THE INDIVIDUAL’S FEDERAL ADJUSTED GROSS INCOME, LESS THE AMOUNT OF SOCIAL SECURITY BENEFITS INCLUDED IN FEDERAL ADJUSTED GROSS INCOME UNDER § 86 OF THE INTERNAL REVENUE CODE, EXCEEDS:

(I) \$75,000 FOR AN INDIVIDUAL OTHER THAN ONE DESCRIBED IN ITEM (II) OR (III) OF THIS PARAGRAPH;

(II) \$100,000 FOR A MARRIED COUPLE FILING A JOINT RETURN OR FOR AN INDIVIDUAL DESCRIBED IN § 2 OF THE INTERNAL REVENUE CODE AS A HEAD OF HOUSEHOLD OR AS A SURVIVING SPOUSE; OR

(III) FOR A MARRIED COUPLE FILING SEPARATELY, \$50,000 FOR EACH SPOUSE”.

### AMENDMENT NO. 5

On page 3, after line 17, insert:

“(Q-1) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE FIRST \$7,500

OF RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING THE TAXABLE YEAR THAT IS ATTRIBUTABLE TO THE INDIVIDUAL'S EMPLOYMENT AS A LAW ENFORCEMENT OFFICER OR FIRE, RESCUE, OR EMERGENCY SERVICES PERSONNEL OF THE UNITED STATES, THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, IF THE INDIVIDUAL IS AT LEAST 55 YEARS OLD ON THE LAST DAY OF THE TAXABLE YEAR.

(2) THE AMOUNT OF THE SUBTRACTION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS REDUCED BY THE AMOUNT BY WHICH THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME, LESS THE AMOUNT OF SOCIAL SECURITY BENEFITS INCLUDED IN FEDERAL ADJUSTED GROSS INCOME UNDER § 86 OF THE INTERNAL REVENUE CODE, EXCEEDS:

(I) \$75,000 FOR AN INDIVIDUAL OTHER THAN ONE DESCRIBED IN ITEM (II) OR (III) OF THIS PARAGRAPH;

(II) \$100,000 FOR A MARRIED COUPLE FILING A JOINT RETURN OR FOR AN INDIVIDUAL DESCRIBED IN § 2 OF THE INTERNAL REVENUE CODE AS A HEAD OF HOUSEHOLD OR AS A SURVIVING SPOUSE; OR

(III) FOR A MARRIED COUPLE FILING SEPARATELY, \$50,000 FOR EACH SPOUSE.”.

AMENDMENT NO. 6

On page 4, in line 15, after “(D)” insert “(1)”; and after line 17, insert:

“(2) RETIREMENT INCOME OF A LAW ENFORCEMENT OFFICER OR OF FIRE, RESCUE, OR EMERGENCY SERVICES PERSONNEL THAT IS INCLUDED IN THE SUBTRACTION UNDER § 10-207(Q-1) OF THIS SUBTITLE MAY NOT BE TAKEN INTO ACCOUNT FOR PURPOSES OF THE SUBTRACTION UNDER THIS SECTION.”.

AMENDMENT NO. 7

On page 4, in line 20, strike “2006” and substitute “2005”.

(Over)