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By: Delegates Love, Bates, Boschert, Cadden, V. Clagett, Conroy, Costa, Frush, Gilleland, Leopold, McConkey, Miller, Moe, Pendergrass, Pugh, Sophocleus, and F. Turner F. Turner, Bartlett, Bozman, Cardin, Cryor, C. Davis, Elmore, Goodwin, Gordon, Healey, Heller, Hixson, Howard, Kaiser, King, Marriott, McKee, Myers, Patterson, Ramirez, and Ross

Introduced and read first time: February 9, 2006  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 20, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Income Tax - U.S. Government Employees' Foreign Earned Income**

3 FOR the purpose of providing a subtraction modification for certain taxable years  
4 under the Maryland income tax for certain foreign earned income of employees  
5 of the United States or of an agency of the United States, subject to a certain  
6 limitation; defining a certain term; and generally relating to an income tax  
7 subtraction modification for certain foreign earned income of an individual  
8 earned as an employee of the United States or of an agency of the United States.

9 BY repealing and reenacting, without amendments,  
10 Article - Tax - General  
11 Section 10-207(a)  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2005 Supplement)

14 BY adding to  
15 Article - Tax - General  
16 Section 10-207(w)  
17 Annotated Code of Maryland  
18 (2004 Replacement Volume and 2005 Supplement)

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

1 **Article - Tax - General**

2 10-207.

3 (a) To the extent included in federal adjusted gross income, the amounts under  
4 this section are subtracted from the federal adjusted gross income of a resident to  
5 determine Maryland adjusted gross income.

6 (W) (1) IN THIS SUBSECTION:

7 (I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH,  
8 "FOREIGN EARNED INCOME" MEANS FOREIGN EARNED INCOME WITHIN THE  
9 MEANING OF § 911(B)(1) OF THE INTERNAL REVENUE CODE, SUBJECT TO THE  
10 LIMITATION UNDER § 911(B)(2) OF THE INTERNAL REVENUE CODE; AND

11 (II) "FOREIGN EARNED INCOME" INCLUDES AMOUNTS PAID BY THE  
12 UNITED STATES OR AN AGENCY OF THE UNITED STATES TO AN EMPLOYEE OF THE  
13 UNITED STATES OR OF AN AGENCY OF THE UNITED STATES.

14 (2) SUBJECT TO THE LIMITATION UNDER PARAGRAPH (3) OF THIS  
15 SUBSECTION, FOR EACH TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2006, BUT  
16 BEFORE JANUARY 1, 2010, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS  
17 SECTION INCLUDES THE FOREIGN EARNED INCOME OF AN INDIVIDUAL EARNED AS  
18 AN EMPLOYEE OF THE UNITED STATES OR OF AN AGENCY OF THE UNITED STATES.

19 (3) THE AMOUNT SUBTRACTED UNDER THIS SECTION:

20 (I) DOES NOT INCLUDE ANY AMOUNT SUBTRACTED UNDER ANY  
21 OTHER PROVISIONS OF THIS SECTION; AND

22 (II) MAY NOT EXCEED \$3,500 FOR ANY TAXABLE YEAR.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2006.