HOUSE BILL 764

Q3, M3 8lr1421

By: Delegates Costa, V. Clagett, Dwyer, George, Ivey, King, Kipke, McConkey, O'Donnell, Pena-Melnyk, Shank, Sophocleus, and F. Turner

Introduced and read first time: February 4, 2008

Assigned to: Environmental Matters and Ways and Means

A BILL ENTITLED

1	AN ACT concerning
2	Income Tax Credit - Organic Fertilizer
3	FOR the purpose of providing that a certain certification program for organic
4	agricultural commodities under the State Department of Agriculture include
5	organic fertilizer; allowing a credit against the State income tax for a certain
6	amount of the purchase price of certain fertilizers; limiting the amount of the
7	credit; defining certain terms; providing for the application of this Act; and
8	generally relating to a credit against the State income tax for the purchase of
9	certain fertilizers.
10	BY repealing and reenacting, with amendments,
11	Article – Agriculture
12	Section 10–1401
13	Annotated Code of Maryland
14	(2007 Replacement Volume)
15	BY adding to
16	Article – Tax – General
17	Section 10–726
18	Annotated Code of Maryland
19	(2004 Replacement Volume and 2007 Supplement)
20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21	MARYLAND, That the Laws of Maryland read as follows:
22	Article – Agriculture
23	10–1401.



1 2 3	The Department shall establish a certification program governing the production and handling of organic agricultural commodities, INCLUDING ORGANIC FERTILIZER.
4	Article - Tax - General
5	10–726.
6 7 8	(A) IN THIS SECTION, "ORGANIC FERTILIZER" MEANS FERTILIZER THAT IS CERTIFIED UNDER TITLE 10, SUBTITLE 14 OF THE AGRICULTURE ARTICLE AS ORGANICALLY PRODUCED.
9 10 11 12	(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO 50% OF THE PURCHASE PRICE OF ORGANIC FERTILIZER FOR USE ON RESIDENTIAL OR AGRICULTURAL LAND DURING THE TAXABLE YEAR.
13 14	(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:
15	(I) THE STATE INCOME TAX FOR THE TAXABLE YEAR; OR
16	(II) \$1,000.
17 18	(2) THE UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE YEAR MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.
19 20 21	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008, and shall be applicable to all taxable years beginning after December 31, 2007.