

SENATE BILL 289

Q3

8lr1095

By: **Senators Lenett, Miller, Kasemeyer, Rosapepe, Astle, Conway, Currie, DeGrange, Della, Dyson, Exum, Frosh, Garagiola, Jones, King, Klausmeier, Madaleno, McFadden, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

Introduced and read first time: January 25, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Seniors Tax Relief Act of 2008**

3 FOR the purpose of altering the amount allowed as a deduction for additional
4 exemptions under the State income tax for certain individuals who as of the last
5 day of the taxable year are blind or are at least a certain age; providing for the
6 application of this Act; and generally relating to certain exemptions allowed to
7 be deducted to determine Maryland taxable income.

8 BY repealing and reenacting, with amendments,
9 Article – Tax – General
10 Section 10–211
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2007 Supplement)
13 (As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
14 Special Session)

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

17 **Article – Tax – General**

18 10–211.

19 (a) Except as provided in subsection (b) of this section, whether or not a
20 federal return is filed, to determine Maryland taxable income, an individual other
21 than a fiduciary may deduct as an exemption:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) \$3,200 for each exemption that the individual may deduct in the
2 taxable year to determine federal taxable income under § 151 of the Internal Revenue
3 Code;

4 (2) an additional \$3,200 for each dependent, as defined in § 152 of the
5 Internal Revenue Code, who is at least 65 years old on the last day of the taxable year;

6 (3) an additional [\$1,000] **\$2,000** if the individual, on the last day of
7 the taxable year, is at least 65 years old; and

8 (4) an additional [\$1,000] **\$2,000** if the individual, on the last day of
9 the taxable year, is a blind individual, as described in § 10-208(c) of this subtitle.

10 (b) (1) If an individual other than one described in [subsection (c) of this
11 section] **PARAGRAPH (2) OF THIS SUBSECTION** has federal adjusted gross income for
12 the taxable year greater than \$100,000, the amount allowed for each exemption under
13 subsection (a)(1) or (2) of this section is limited to:

14 (i) \$2,400 if federal adjusted gross income for the taxable year
15 does not exceed \$125,000;

16 (ii) \$1,800 if federal adjusted gross income for the taxable year
17 is greater than \$125,000 but not greater than \$150,000;

18 (iii) \$1,200 if federal adjusted gross income for the taxable year
19 is greater than \$150,000 but not greater than \$200,000; and

20 (iv) \$600 if federal adjusted gross income for the taxable year is
21 greater than \$200,000.

22 (2) If a married couple filing a joint return or an individual described
23 in § 2 of the Internal Revenue Code as a head of household or as a surviving spouse
24 has federal adjusted gross income for the taxable year greater than \$150,000, the
25 amount allowed for each exemption under subsection (a)(1) or (2) of this section is
26 limited to:

27 (i) \$2,400 if federal adjusted gross income for the taxable year
28 does not exceed \$175,000;

29 (ii) \$1,800 if federal adjusted gross income for the taxable year
30 is greater than \$175,000 but not greater than \$200,000;

31 (iii) \$1,200 if federal adjusted gross income for the taxable year
32 is greater than \$200,000 but not greater than \$250,000; and

33 (iv) \$600 if federal adjusted gross income for the taxable year is
34 greater than \$250,000.

1 **(3) IF AN INDIVIDUAL OTHER THAN ONE DESCRIBED IN**
2 **PARAGRAPH (4) OF THIS SUBSECTION HAS FEDERAL ADJUSTED GROSS INCOME**
3 **FOR THE TAXABLE YEAR GREATER THAN \$100,000, THE AMOUNT ALLOWED FOR**
4 **EACH EXEMPTION UNDER SUBSECTION (A)(3) OR (4) OF THIS SECTION IS**
5 **LIMITED TO:**

6 **(I) \$1,000 IF FEDERAL ADJUSTED GROSS INCOME FOR THE**
7 **TAXABLE YEAR DOES NOT EXCEED \$200,000; AND**

8 **(II) \$0 IF FEDERAL ADJUSTED GROSS INCOME FOR THE**
9 **TAXABLE YEAR IS GREATER THAN \$200,000.**

10 **(4) IF A MARRIED COUPLE FILING A JOINT RETURN OR AN**
11 **INDIVIDUAL DESCRIBED IN § 2 OF THE INTERNAL REVENUE CODE AS A HEAD OF**
12 **HOUSEHOLD OR AS A SURVIVING SPOUSE HAS FEDERAL ADJUSTED GROSS**
13 **INCOME FOR THE TAXABLE YEAR GREATER THAN \$150,000, THE AMOUNT**
14 **ALLOWED FOR EACH EXEMPTION UNDER SUBSECTION (A)(3) OR (4) OF THIS**
15 **SECTION IS LIMITED TO:**

16 **(I) \$1,000 IF FEDERAL ADJUSTED GROSS INCOME FOR THE**
17 **TAXABLE YEAR DOES NOT EXCEED \$250,000; AND**

18 **(II) \$0 IF FEDERAL ADJUSTED GROSS INCOME FOR THE**
19 **TAXABLE YEAR IS GREATER THAN \$250,000.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2008, and shall be applicable to all taxable years beginning after December 31,
22 2007.