

HOUSE BILL 896

Q3

0lr2747

By: **Delegates Gilchrist and Murphy**

Introduced and read first time: February 10, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Standard Deduction**

3 FOR the purpose of altering the determination of the amount of the standard
4 deduction allowed for an individual under the Maryland income tax; providing
5 for the application of this Act; and generally relating to the standard deduction
6 allowed for an individual under the Maryland income tax.

7 BY repealing and reenacting, with amendments,
8 Article – Tax – General
9 Section 10–217
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2009 Supplement)

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

14 **Article – Tax – General**

15 10–217.

16 (a) (1) (i) Except as otherwise provided in this subsection, an
17 individual may elect to use the standard deduction to compute Maryland taxable
18 income whether or not the individual itemizes deductions on the individual's federal
19 income tax return in determining federal taxable income.

20 (ii) If an individual elects to use the standard deduction on the
21 federal income tax return, the individual may not take any itemized deduction in §
22 10–218 of this subtitle.

23 (2) A fiduciary may not use the standard deduction.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [Subject to the limitation in subsection (c) of this section, the standard
2 deduction for an individual is an amount equal to 15% of the individual's Maryland
3 adjusted gross income.

4 (c) (1) For an individual other than one described in paragraphs (2) and
5 (3) of this subsection, the standard deduction[:

6 (i) may not be less than \$1,500; and

7 (ii) may not exceed] IS \$2,000.

8 (2) For an individual described in § 2 of the Internal Revenue Code as
9 a head of household or as a surviving spouse, the standard deduction[:

10 (i) may not be less than \$3,000; and

11 (ii) may not exceed] IS \$4,000.

12 (3) For spouses on a joint return, the standard deduction[:

13 (i) may not be less than \$3,000; and

14 (ii) may not exceed] IS \$4,000.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2010, and shall be applicable to all taxable years beginning after December 31,
17 2009.