

SENATE BILL 221

Q3

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By: **Senator Currie**

Introduced and read first time: January 21, 2010

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2010

CHAPTER _____

1 AN ACT concerning

2 **Tax Credits for Qualifying Employees with Disabilities – Sunset ~~Repeal~~**
3 **Extension**

4 FOR the purpose of ~~repealing~~ extending certain termination provisions
5 and altering certain dates of applicability for certain tax credits
6 allowed to employers that hire certain qualifying individuals with
7 disabilities; establishing a Task Force to Study Tax Credits that
8 Provide Incentives to Hire Employees; providing for the membership
9 of the Task Force; providing for the designation of a chair of the
10 Task Force; providing for staff for the Task Force; prohibiting a
11 member of the Task Force from receiving compensation as a
12 member; authorizing a member of the Task Force to receive
13 reimbursement for certain expenses; requiring the Task Force to
14 study certain issues; requiring the Task Force to report its findings
15 to the Governor and the General Assembly on or before a certain
16 date; providing for the termination of certain provisions of this Act;
17 and generally relating to certain tax credits allowed to employers
18 that hire certain qualifying employees facing certain employment
19 barriers.

20 BY repealing and reenacting, with amendments,

21 Chapter 112 of the Acts of the General Assembly of 1997, as amended by

22 Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the
 2 General Assembly of 2003, Chapter 394 of the Acts of the General
 3 Assembly of 2006, Chapter 370 of the Acts of the General Assembly of
 4 2007, Chapter 658 of the Acts of the General Assembly of 2008, and
 5 Chapter 290 of the Acts of the General Assembly of 2009

6 Section 4 and 6

7 BY repealing and reenacting, with amendments,

8 Chapter 113 of the Acts of the General Assembly of 1997, as amended by
 9 Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of
 10 the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the
 11 General Assembly of 2003, Chapter 394 of the Acts of the General
 12 Assembly of 2006, Chapter 370 of the Acts of the General Assembly of
 13 2007, Chapter 658 of the Acts of the General Assembly of 2008, and
 14 Chapter 290 of the Acts of the General Assembly of 2009

15 Section 4 and 6

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

18 **Chapter 112 of the Acts of 1997, as amended by Chapter 614 of the Acts of**
 19 **1998, Chapter 448 of the Acts of 2000, Chapter 454 of the Acts of 2003, Chapter**
 20 **394 of the Acts of 2006, Chapter 370 of the Acts of 2007, Chapter 658 of the**
 21 **Acts of 2008, and Chapter 290 of the Acts of 2009**

22 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be
 23 applicable to all taxable years beginning after December 31, 1996 ~~but before January~~
 24 ~~1, ~~2013~~ 2014~~; provided, however, that the tax credit under § 21-309 of the Education
 25 Article, as enacted under Section 1 of this Act, shall be allowed only for employees
 26 hired on or after October 1, 1997 ~~but before July 1, ~~2010~~ 2011~~; and provided further
 27 that any excess credits under § 21-309 of the Education Article may be carried
 28 forward and, subject to the limitations under § 21-309 of the Education Article, may
 29 be applied as a credit for taxable years beginning on or after January 1, ~~2013~~ 2014.

30 SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions
 31 of Section 4 of this Act, this Act shall take effect October 1, 1997. ~~It shall remain in~~
 32 ~~effect for a period of ~~12~~ 13 years and 9 months and at the end of June 30, ~~2010~~ 2011,~~
 33 with no further action required by the General Assembly, this Act shall be abrogated
 34 and of no further force and effect.

35 **Chapter 113 of the Acts of 1997, as amended by Chapter 614 of the Acts of**
 36 **1998, Chapter 448 of the Acts of 2000, Chapter 454 of the Acts of 2003, Chapter**
 37 **394 of the Acts of 2006, Chapter 370 of the Acts of 2007, Chapter 658 of the**
 38 **Acts of 2008, and Chapter 290 of the Acts of 2009**

39 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be
 40 applicable to all taxable years beginning after December 31, 1996 ~~but before January~~

1 1, ~~2013~~ **2014**]; provided, however, that the tax credit under § 21–309 of the Education
2 Article, as enacted under Section 1 of this Act, shall be allowed only for employees
3 hired on or after October 1, 1997 ~~but~~ before July 1, ~~2010~~ **2011**; and provided further
4 that any excess credits under § 21–309 of the Education Article may be carried
5 forward and, subject to the limitations under § 21–309 of the Education Article, may
6 be applied as a credit for taxable years beginning on or after January 1, ~~2013~~ **2014**.

7 SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions
8 of Section 4 of this Act, this Act shall take effect October 1, 1997. ~~It~~ shall remain in
9 effect for a period of ~~12~~ **13** years and 9 months and at the end of June 30, ~~2010~~ **2011**,
10 with no further action required by the General Assembly, this Act shall be abrogated
11 and of no further force and effect.†

12 SECTION 2. AND BE IT FURTHER ENACTED, That:

13 (a) There is a Task Force to Study Tax Credits that Provide Incentives to
14 Hire Employees.

15 (b) The Task Force consists of the following members:

16 (1) two members of the Senate of Maryland, appointed by the
17 President of the Senate;

18 (2) two members of the House of Delegates, appointed by the Speaker
19 of the House;

20 (3) the Comptroller, or the Comptroller's designee;

21 (4) the Secretary of Business and Economic Development, or the
22 Secretary's designee;

23 (5) the Secretary of Disabilities, or the Secretary's designee;

24 (6) the Secretary of Labor, Licensing, and Regulation, or the
25 Secretary's designee; and

26 (7) the Secretary of Human Resources, or the Secretary's designee.

27 (c) The Governor shall designate the chair of the Task Force.

28 (d) The Department of Labor, Licensing, and Regulation, in consultation
29 with the Governor's Office of StateStat, shall provide staff for the Task Force.

30 (e) A member of the Task Force:

31 (1) may not receive compensation as a member of the Task Force; but

1 (2) is entitled to reimbursement for expenses under the Standard
2 State Travel Regulations, as provided in the State budget.

3 (f) The Task Force shall:

4 (1) determine the number of jobs created by Maryland tax credits that
5 provide incentives to hire employees; and

6 (2) make recommendations regarding simplifying the application
7 process for tax credits that provide incentives to hire employees.

8 (g) On or before December 31, 2010, the Task Force shall report its findings
9 and recommendations to the Governor and, in accordance with § 2-1246 of the State
10 Government Article, the General Assembly.

11 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
12 effect June 1, 2010. Section 2 of this Act shall remain effective for a period of 1 year
13 and 1 month and, at the end of June 30, 2011, with no further action required by the
14 General Assembly, Section 2 of this Act shall be abrogated and of no further force and
15 effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.