

SENATE BILL 398

Q4

11r1253
CF HB 502

By: **Senators King, Garagiola, Manno, Montgomery, Peters, Ramirez, and Robey**

Introduced and read first time: February 4, 2011

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2011

CHAPTER _____

1 AN ACT concerning

2 **Sales and Use Tax – Sale of Electricity Generated by Solar Energy and**
3 **Residential Wind Energy Equipment – Exemption**

4 FOR the purpose of providing an exemption from the sales and use tax for the sale of
5 electricity generated by certain solar energy equipment or certain residential
6 wind energy equipment for certain purposes; and generally relating to a sales
7 and use tax exemption for the sale of certain electricity.

8 BY repealing and reenacting, with amendments,
9 Article – Tax – General
10 Section 11–207(a)
11 Annotated Code of Maryland
12 (2010 Replacement Volume)

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

15 **Article – Tax – General**

16 11–207.

17 (a) The sales and use tax does not apply to:

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 (1) a sale of electricity, steam, or artificial or natural gas for use in
2 residential condominiums;

3 (2) a sale of electricity, steam, or artificial or natural gas that is
4 delivered under a residential or domestic rate schedule on file with the Public Service
5 Commission;

6 (3) a sale of coal, firewood, heating oil, or propane gas or similar
7 liquefied gas for use in residential property that contains not more than 4 units,
8 cooperative housing, condominiums, or other similar residential living arrangements;
9 [or]

10 (4) a sale of electricity through 3 or more bulk meters for use in a
11 nonprofit planned retirement community of more than 2,000 housing cooperative or
12 condominium units if:

13 (i) ownership of units is restricted by age;

14 (ii) any unit is served by an individual meter; and

15 (iii) on or before July 1, 1979, at least 3 bulk meters served the
16 community; OR

17 (5) **A SALE OF ELECTRICITY GENERATED BY SOLAR ENERGY**
18 **EQUIPMENT OR RESIDENTIAL WIND ENERGY EQUIPMENT, AS DEFINED UNDER §**
19 **11-230 OF THIS SUBTITLE, FOR USE IN RESIDENTIAL PROPERTY ~~OR FOR SUPPLY~~**
20 **~~TO THE ELECTRIC GRID~~ OWNED BY AN ELIGIBLE CUSTOMER-GENERATOR**
21 **UNDER § 7-306 OF THE PUBLIC UTILITIES ARTICLE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.