

HOUSE BILL 151

Q4

(3lr1179)

ENROLLED BILL

— Ways and Means/Budget and Taxation —

Introduced by **Delegate A. Miller**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Sales and Use Tax—Tax-Free Period—Emergency Preparedness Equipment~~

3 Task Force on the Implementation of Tax Benefits for Emergency

4 Preparedness Equipment

5 FOR the purpose of ~~establishing a tax-free period each year during which a certain~~
6 ~~sales and use tax exemption for the sale of certain emergency preparedness~~
7 ~~items is provided; requiring the Comptroller of the Treasury to publish a certain~~
8 ~~list on or before a certain date; authorizing the Comptroller to amend a certain~~
9 ~~list under certain circumstances; defining a certain term; providing for the~~
10 ~~termination of this Act; and generally relating to sales and use tax exemptions~~
11 establishing the Task Force to Study the Implementation of Tax Benefits for
12 Emergency Preparedness Equipment; providing for the composition, chair, and
13 staffing of the Task Force; prohibiting a member of the Task Force from receiving
14 certain compensation, but authorizing the reimbursement of certain expenses;
15 requiring the Task Force to study and make recommendations regarding certain

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.

Italics indicate opposite chamber/conference committee amendments.



1 matters; requiring the Task Force to report its findings and recommendations to
 2 the Governor and the General Assembly on or before a certain date; providing for
 3 the termination of this Act; and generally relating to the Task Force to Study the
 4 Implementation of Tax Benefits for Emergency Preparedness Equipment.

5 ~~BY adding to~~

6 ~~Article Tax General~~

7 ~~Section 11-228.1~~

8 ~~Annotated Code of Maryland~~

9 ~~(2010 Replacement Volume and 2012 Supplement)~~

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

12 ~~Article Tax General~~

13 ~~11-228.1.~~

14 ~~(A) IN THIS SECTION, "EMERGENCY PREPAREDNESS EQUIPMENT"~~
 15 ~~INCLUDES PORTABLE GENERATORS AND OTHER ITEMS AS DEFINED BY THE~~
 16 ~~COMPTROLLER BY REGULATION.~~

17 ~~(B) (1) BEGINNING IN CALENDAR YEAR 2014, THE 7-DAY PERIOD~~
 18 ~~FROM THE THIRD SUNDAY IN MAY THROUGH THE FOLLOWING SATURDAY~~
 19 ~~SHALL BE A TAX-FREE PERIOD FOR EMERGENCY PREPAREDNESS EQUIPMENT~~
 20 ~~SHOPPING IN MARYLAND DURING WHICH THE EXEMPTION UNDER PARAGRAPH~~
 21 ~~(2) OF THIS SUBSECTION SHALL APPLY.~~

22 ~~(2) DURING THE TAX-FREE PERIOD FOR EMERGENCY~~
 23 ~~PREPAREDNESS EQUIPMENT SHOPPING ESTABLISHED UNDER PARAGRAPH (1)~~
 24 ~~OF THIS SUBSECTION, THE SALES AND USE TAX DOES NOT APPLY TO THE SALE~~
 25 ~~OF ANY EMERGENCY PREPAREDNESS EQUIPMENT IF THE TAXABLE PRICE OF~~
 26 ~~THE ITEM IS \$1,500 OR LESS.~~

27 ~~(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR~~
 28 ~~BEFORE JANUARY 1, 2014, THE COMPTROLLER SHALL PUBLISH ON THE~~
 29 ~~COMPTROLLER'S WEB SITE A LIST OF EMERGENCY PREPAREDNESS EQUIPMENT~~
 30 ~~THAT IS EXEMPT FROM TAXATION DURING THE TAX-FREE PERIOD.~~

31 ~~(2) AFTER THE COMPLETION OF THE TAX-FREE PERIOD IN~~
 32 ~~CALENDAR YEAR 2014, THE COMPTROLLER MAY AMEND THE LIST OF~~
 33 ~~EMERGENCY PREPAREDNESS EQUIPMENT THAT IS EXEMPT FROM TAXATION~~
 34 ~~FOR EACH SUBSEQUENT TAX-FREE PERIOD.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013. It shall remain effective for a period of 3 years and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

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

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

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

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president;

(5) the Chairman of the Public Service Commission, or the Chairman's designee;

(6) the Secretary of the Department of Health and Mental Hygiene, or the Secretary's designee;

(7) the Director of the Maryland Energy Administration, or the Director's designee;

(8) the Director of the Maryland Emergency Management Agency, or the Director's designee;

(9) the Director of the Governor's Office of Homeland Security, or the Director's designee; and

(10) the following members, appointed by the Governor:

(i) one member of the Maryland Retailers Association; and

(ii) one member of the public who is a customer of an electric utility.

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

1 (d) The Maryland Energy Administration, Maryland Emergency
2 Management Agency, and Governor's Office of Homeland Security shall provide staff
3 for the Task Force.

4 (e) A member of the Task Force:

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

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

8 (f) The Task Force shall:

9 (1) study which members of the population would benefit from the
10 implementation of:

11 (i) an income tax credit to purchase electric generators; or

12 (ii) a tax-free period for emergency preparedness equipment;

13 (2) study how individuals with physical difficulties, elderly
14 individuals, and other individuals who are dependent on a consistent supply of power
15 for medical purposes would benefit from the implementation of:

16 (i) an income tax credit to purchase electric generators; or

17 (ii) a tax-free period for emergency preparedness equipment;

18 (3) study whether commercial establishments would also benefit from
19 an income tax credit to purchase electric generators or a tax-free period for emergency
20 preparedness equipment and the costs of establishing the credit or tax-free period; and

21 (4) make recommendations regarding the implementation of an income
22 tax credit for the purchase of electric generators or a tax-free period for emergency
23 preparedness equipment, including:

24 (i) qualifications for the credit;

25 (ii) the amount of the credit to be granted; and

26 (iii) the length of a tax-free period for emergency preparedness
27 equipment.

28 (g) On or before December 1, 2013, the Task Force shall report its findings
29 and recommendations to the Governor and, in accordance with § 2-1246 of the State
30 Government Article, the General Assembly.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the
3 end of June 30, 2014, with no further action required by the General Assembly, this Act
4 shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.