

SENATE BILL 481

Q3

3lr1237

By: **Senators Manno, Madaleno, and Raskin**
Introduced and read first time: January 31, 2013
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 30, 2013

CHAPTER _____

1 AN ACT concerning

2 ~~Income Tax Credit—Home Generators~~
3 Task Force on the Implementation of Tax Benefits for Emergency
4 Preparedness Equipment

5 FOR the purpose of ~~allowing an individual a credit against the State income tax for~~
6 ~~the expense of purchasing a certain generator; providing for the number of~~
7 ~~credits an individual may claim; providing that the credit may not exceed a~~
8 ~~certain amount; making the credit refundable; requiring the Comptroller to~~
9 ~~adopt certain regulations; defining a certain term; providing for the application~~
10 ~~of this Act; and generally relating to an income tax credit for the expense~~
11 ~~incurred to purchase a certain generator~~ establishing the Task Force to Study
12 the Implementation of Tax Benefits for Emergency Preparedness; providing for
13 the composition, chair, and staffing of the Task Force; prohibiting a member of
14 the Task Force from receiving certain compensation, but authorizing the
15 reimbursement of certain expenses; requiring the Task Force to study and make
16 recommendations regarding certain matters; requiring the Task Force to report
17 its findings and recommendations to the Governor and the General Assembly on
18 or before a certain date; providing for the termination of this Act; and generally
19 relating to the Task Force to Study the Implementation of Tax Benefits for
20 Emergency Preparedness Equipment.

21 ~~BY adding to~~
22 ~~Article—Tax—General~~
23 ~~Section 10-733~~
24 ~~Annotated Code of Maryland~~

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.



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

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

~~Article Tax General~~

~~10-733.~~

~~(A) IN THIS SECTION, "QUALIFIED GENERATOR" MEANS A DEVICE THAT IS PURCHASED NEW AND IS DESIGNED TO GENERATE POWER DURING A POWER OUTAGE.~~

~~(B) (1) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO 50% OF THE EXPENSE INCURRED TO PURCHASE A QUALIFIED GENERATOR.~~

~~(2) AN INDIVIDUAL MAY ONLY CLAIM THE CREDIT UNDER THIS SECTION ONCE.~~

~~(C) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:~~

~~(1) \$500; OR~~

~~(2) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.~~

~~(D) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, AN INDIVIDUAL MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.~~

~~(E) THE COMPTROLLER SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012.~~

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.

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

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

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

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

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

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

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

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

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

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

19 ~~(5)~~ (10) the following members, appointed by the Governor:

20 (i) ~~one member of the Public Service Commission;~~

21 ~~(ii)~~ one member of the Maryland Retailers Association; and

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

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

25 (d) The ~~Public Service Commission~~ Maryland Energy Administration,
26 Maryland Emergency Management Agency, and Governor's Office of Homeland
27 Security shall provide staff for the Task Force.

28 (e) A member of the Task Force:

29 (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) study which members of the population would benefit from the
5 implementation of:

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

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

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

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

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

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

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

20 (i) qualifications for the credit;

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

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

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

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