

HOUSE BILL 1389

Q3
HB 738/16 – W&M

7lr1323
CF SB 295

By: **Delegates C. Wilson, Aumann, Barkley, Brooks, Buckel, Chang, Fennell, Folden, Hixson, Hornberger, S. Howard, Kipke, McComas, McCray, McMillan, Patterson, Pena–Melnyk, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Shoemaker, Sophocleus, Turner, and Valentino–Smith**

Introduced and read first time: February 10, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Military Retirement Income –**
3 **Individuals at Least 65 Years Old**

4 FOR the purpose of altering a subtraction modification under the State income tax for certain
5 military retirement income for individuals who are at least a certain age; providing for
6 the application of this Act; and generally relating to the State income taxation of certain
7 retirement income.

8 BY repealing and reenacting, without amendments,
9 Article – Tax – General
10 Section 10–207(a)
11 Annotated Code of Maryland
12 (2016 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Tax – General
15 Section 10–207(q)
16 Annotated Code of Maryland
17 (2016 Replacement Volume)

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

20 **Article – Tax – General**

21 10–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) To the extent included in federal adjusted gross income, the amounts under
2 this section are subtracted from the federal adjusted gross income of a resident to determine
3 Maryland adjusted gross income.

4 (q) (1) (i) In this subsection the following words have the meanings
5 indicated.

6 (ii) "Military retirement income" means retirement income received
7 as a result of military service.

8 (iii) "Military service" means:

9 1. induction into the armed forces of the United States for
10 training and service under the Selective Training and Service Act of 1940 or a subsequent
11 act of a similar nature;

12 2. membership in a reserve component of the armed forces of
13 the United States;

14 3. membership in an active component of the armed forces of
15 the United States;

16 4. membership in the Maryland National Guard; or

17 5. active duty with the commissioned corps of the Public
18 Health Service, the National Oceanic and Atmospheric Administration, or the Coast and
19 Geodetic Survey.

20 (2) The subtraction under subsection (a) of this section includes:

21 (i) if, on the last day of the taxable year, the individual is under the
22 age of 65 years, the first \$5,000 of military retirement income received by an individual
23 during the taxable year; and

24 (ii) if, on the last day of the taxable year, the individual is at least 65
25 years old, the first ~~[\$10,000]~~ **\$15,000** of military retirement income received by an
26 individual during the taxable year.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2017, and shall be applicable to all taxable years beginning after December 31, 2016.