

# SENATE BILL 321

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7lr0138  
CF 7lr0167

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By: **The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Mathias, Norman, Ready, Salling, Serafini, Simonaire, and Waugh**

Introduced and read first time: January 20, 2017

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Military Retirement Income**

3 FOR the purpose of altering for certain taxable years a certain limitation on a subtraction  
4 modification under the Maryland income tax for certain military retirement income;  
5 providing for a delayed effective date; and generally relating to a subtraction  
6 modification for military retirement income.

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

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

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

19 **Article – Tax – General**

20 10–207.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (iii) "Military service" means:

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

9 2. membership in a reserve component of the armed forces of  
10 the United States;

11 3. membership in an active component of the armed forces of  
12 the United States;

13 4. membership in the Maryland National Guard; or

14 5. active duty with the commissioned corps of the Public  
15 Health Service, the National Oceanic and Atmospheric Administration, or the Coast and  
16 Geodetic Survey.

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

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

21 (ii) if, on the last day of the taxable year, the individual is at least 65  
22 years old, the first \$10,000 of military retirement income received by an individual during  
23 the taxable year.]

24 **(I) THE GREATER OF \$10,000 OR 50% OF THE MILITARY**  
25 **RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING A TAXABLE YEAR**  
26 **BEGINNING AFTER DECEMBER 31, 2017, BUT BEFORE JANUARY 1, 2019;**

27 **(II) THE GREATER OF \$10,000 OR 75% OF THE MILITARY**  
28 **RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING A TAXABLE YEAR**  
29 **BEGINNING AFTER DECEMBER 31, 2018, BUT BEFORE JANUARY 1, 2020; AND**

30 **(III) ALL MILITARY RETIREMENT INCOME RECEIVED BY AN**  
31 **INDIVIDUAL DURING A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2019.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2   1, 2018.