

# SENATE BILL 758

Q3  
SB 834/16 – B&T

7lr1841  
CF HB 490

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By: Senator Guzzone

Introduced and read first time: February 3, 2017

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Income Tax Credit – Energy Storage Systems**

3 FOR the purpose of allowing a credit against the State income tax for certain costs of certain  
4 energy storage systems; providing that the credit may not exceed a certain amount;  
5 providing that the credit may not be carried forward to another taxable year;  
6 requiring a taxpayer claiming the credit to attach certain proof to the taxpayer's  
7 return; defining a certain term; providing for the application of this Act; and  
8 generally relating to an income tax credit for certain energy storage systems.

9 BY adding to

10 Article – Tax – General  
11 Section 10-719  
12 Annotated Code of Maryland  
13 (2016 Replacement Volume)

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

### 16 **Article – Tax – General**

17 **10-719.**

18 (A) IN THIS SECTION, “ENERGY STORAGE SYSTEM” MEANS A SYSTEM USED  
19 TO STORE ELECTRICAL ENERGY, OR MECHANICAL, CHEMICAL, OR THERMAL  
20 ENERGY THAT WAS ONCE ELECTRICAL ENERGY, FOR USE AS ELECTRICAL ENERGY  
21 AT A LATER TIME OR IN A PROCESS THAT OFFSETS ELECTRICITY USE AT PEAK TIMES.

22 (B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A TAXPAYER MAY  
23 CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE TOTAL INSTALLED

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 COSTS OF AN ENERGY STORAGE SYSTEM PAID OR INCURRED DURING THE TAXABLE  
2 YEAR.

3 (C) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE  
4 LESSER OF:

5 (1) (I) FOR AN ENERGY STORAGE SYSTEM INSTALLED ON A  
6 RESIDENTIAL PROPERTY, \$5,000; OR

7 (II) FOR AN ENERGY STORAGE SYSTEM INSTALLED ON A  
8 COMMERCIAL PROPERTY, \$150,000; OR

9 (2) 30% OF THE TOTAL INSTALLED COSTS OF THE ENERGY STORAGE  
10 SYSTEM.

11 (D) (1) THE TOTAL AMOUNT OF THE CREDIT ALLOWED UNDER THIS  
12 SECTION FOR ANY TAXABLE YEAR MAY NOT EXCEED THE STATE INCOME TAX FOR  
13 THAT TAXABLE YEAR, CALCULATED BEFORE THE APPLICATION OF THE CREDITS  
14 UNDER THIS SECTION AND §§ 10-701 AND 10-701.1 OF THIS SUBTITLE, BUT AFTER  
15 THE APPLICATION OF OTHER CREDITS ALLOWABLE UNDER THIS SUBTITLE.

16 (2) THE UNUSED AMOUNT OF CREDIT FOR ANY TAXABLE YEAR MAY  
17 NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

18 (E) THE CREDIT UNDER THIS SECTION MAY NOT BE CLAIMED FOR AN  
19 ENERGY STORAGE SYSTEM INSTALLED BEFORE JANUARY 1, 2017, OR AFTER  
20 DECEMBER 31, 2021.

21 (F) A TAXPAYER CLAIMING THE CREDIT ALLOWED UNDER THIS SECTION  
22 SHALL ATTACH TO THE TAXPAYER'S RETURN, FOR EACH ENERGY STORAGE SYSTEM  
23 FOR WHICH THE CREDIT IS CLAIMED, PROOF OF THE TOTAL INSTALLED COSTS OF  
24 THE ENERGY STORAGE SYSTEM.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
26 1, 2017, and shall be applicable to all taxable years beginning after December 31, 2016.