

SENATE BILL 1155

Q3

7lr3742
CF HB 1583

By: **Senator Oaks**

Introduced and read first time: February 27, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Earned Income Tax Credit – Notice of Availability**

3 FOR the purpose of requiring the Comptroller, beginning on a certain date, to provide
4 certain written and electronic notice of the availability of certain credits against the
5 State and federal income taxes for earned income; establishing certain requirements
6 for the form and content of the notice; requiring that certain written notice be
7 included in certain income tax return materials in a certain manner; requiring that
8 certain electronic notice be posted on the Internet tax filing system of the
9 Comptroller in a certain manner and include links to certain information; requiring
10 the Comptroller to adopt certain regulations; and generally relating to the earned
11 income tax credit.

12 BY repealing and reenacting, without amendments,

13 Article – Tax – General
14 Section 10–704(a)
15 Annotated Code of Maryland
16 (2016 Replacement Volume)

17 BY adding to

18 Article – Tax – General
19 Section 10–704(e)
20 Annotated Code of Maryland
21 (2016 Replacement Volume)

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

24 **Article – Tax – General**

25 10–704.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) A resident may claim a credit against the State income tax for a taxable
2 year in the amount determined under subsection (b) of this section for earned income.

3 (2) A resident may claim a credit against the county income tax for a
4 taxable year in the amount determined under subsection (c) of this section for earned
5 income.

6 (E) (1) (I) BEGINNING JANUARY 1, 2018, THE COMPTROLLER SHALL
7 PROVIDE WRITTEN AND ELECTRONIC NOTICE OF THE AVAILABILITY OF THE TAX
8 CREDIT UNDER THIS SECTION AND THE FEDERAL TAX CREDIT FOR EARNED INCOME
9 ALLOWED UNDER § 32 OF THE INTERNAL REVENUE CODE.

10 (II) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL
11 INCLUDE ANY INFORMATION, PRINTED IN AT LEAST A 12 POINT FONT, NEEDED TO
12 CONVEY:

13 1. THAT THE INDIVIDUAL MAY BE ELIGIBLE TO CLAIM
14 THE STATE AND FEDERAL TAX CREDITS FOR EARNED INCOME;

15 2. APPLICABLE REQUIREMENTS AND LIMITATIONS;

16 3. FILING DEADLINES; AND

17 4. CONTACT INFORMATION FOR TAXPAYER SERVICES
18 OFFERED BY THE COMPTROLLER.

19 (2) WRITTEN NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS
20 SUBSECTION SHALL BE:

21 (I) INCLUDED IN EACH PACKAGE OF INCOME TAX FORMS AND
22 INSTRUCTIONS;

23 (II) PROMINENTLY PLACED ON THE FIRST PAGE OF THE
24 PACKAGE; AND

25 (III) POSITIONED AND COLORED TO DISTINGUISH IT FROM THE
26 FORMS AND INSTRUCTIONS IN THE PACKAGE.

27 (3) ELECTRONIC NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS
28 SUBSECTION:

29 (I) SHALL BE POSTED ON THE INTERNET TAX FILING SYSTEM
30 OF THE COMPTROLLER IN A MANNER THAT REQUIRES THE TAXPAYER TO

1 AFFIRMATIVELY ACKNOWLEDGE RECEIPT OF THE NOTICE BEFORE THE TAXPAYER
2 IS ABLE TO ELECTRONICALLY FILE A STATE INCOME TAX RETURN; AND

3 (II) SHALL INCLUDE A LINK TO TAXPAYER SERVICE
4 INFORMATION ON THE WEB SITE OF THE COMPTROLLER AND THE FEDERAL "EITC
5 ASSISTANT" ON THE WEB SITE OF THE INTERNAL REVENUE SERVICE.

6 (4) THE COMPTROLLER SHALL ADOPT ANY REGULATIONS THAT ARE
7 NECESSARY OR APPROPRIATE TO IMPLEMENT THIS SUBSECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2017.