

SENATE BILL 153

Q3

8lr1649

By: **Senators Hershey, Eckardt, ~~and Mathias~~ Mathias, and Manno**

Introduced and read first time: January 12, 2018

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Income Tax ~~Credit~~ – Oyster Shell Recycling Credit – ~~Sunset Extension~~**
3 **Maximum Allowable Amount and Sunset Repeal**

4 FOR the purpose of ~~extending the termination date of a certain tax credit allowed for oyster~~
5 ~~shell recycling~~ increasing the maximum allowable amount of a certain credit against
6 the State income tax for certain bushels of oyster shells recycled during a taxable
7 year; repealing certain termination provisions related to the credit; providing for the
8 application of certain provisions of this Act; and generally relating to an income tax
9 credit for oyster shell recycling.

10 BY repealing and reenacting, ~~without~~ with amendments,
11 Article – Tax – General
12 Section 10–724.1
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Chapter 278 of the Acts of the General Assembly of 2013
17 Section 2

18 BY repealing and reenacting, with amendments,
19 Chapter 279 of the Acts of the General Assembly of 2013
20 Section 2

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.



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

3 **Article – Tax – General**

4 10–724.1.

5 (a) (1) Subject to the limitations of this section, an individual or a corporation
6 may claim a credit against the State income tax in an amount equal to \$5 for each bushel
7 of oyster shells recycled during the taxable year.

8 (2) An individual or a corporation that claims the credit under this section
9 shall provide verification of the amount of oyster shells recycled during the taxable year
10 with the individual or corporation tax return.

11 (b) (1) For any taxable year, the credit allowed under this section may not
12 exceed the lesser of:

13 (i) ~~\$750~~ **\$1,500**; or

14 (ii) the State income tax calculated before application of the credit
15 allowed under this section and §§ 10–701 and 10–701.1 of this subtitle.

16 (2) The unused amount of the credit may not be carried over to any other
17 taxable year.

18 (c) (1) The Department of Natural Resources and the Comptroller jointly shall
19 adopt regulations to carry out the provisions of this section.

20 (2) The regulations shall establish eligibility criteria and provide for the
21 certification of businesses, landfills, and nonprofit organizations to verify the amount of
22 oyster shells recycled by each individual or corporation.

23 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
24 as follows:

25 **Chapter 278 of the Acts of 2013**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. ~~It~~
28 ~~shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023,~~
29 ~~with no further action required by the General Assembly, this Act shall be abrogated and~~
30 ~~of no further force and effect.~~

31 **Chapter 279 of the Acts of 2013**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. ~~It~~
3 ~~shall remain effective for a period of [5] 10 years and, at the end of June 30, [2018] 2023,~~
4 ~~with no further action required by the General Assembly, this Act shall be abrogated and~~
5 ~~of no further force and effect.~~

6 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be
7 applicable to all taxable years beginning after December 31, 2017.

8 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 June 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.