

HOUSE BILL 621

Q3, L1, P1

0lr1075

By: **Delegates Korman, Acevero, Barve, Carr, Charkoudian, Crutchfield, Cullison, Dumais, Fraser-Hidalgo, Gilchrist, Kaiser, Kelly, Lopez, Love, Luedtke, Moon, Palakovich Carr, Qi, Queen, Reznik, Shetty, Solomon, Stewart, and Wilkins**

Introduced and read first time: January 29, 2020

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2020

CHAPTER _____

1 AN ACT concerning

2 **County Tax Fairness Act**

3 FOR the purpose of altering the manner by which the Comptroller withholds from certain
4 income tax distributions certain amounts that a local government owes to the Local
5 Reserve Account for its share of certain income tax refunds and interest that are paid
6 from the Account related to a certain decision of the U.S. Supreme Court; and
7 generally relating to required repayments to the Local Reserve Account.

8 BY repealing and reenacting, with amendments,

9 Chapter 489 of the Acts of the General Assembly of 2015, as amended by Chapter 24
10 of the Acts of the General Assembly of 2016 and Chapter 824 of the Acts of the
11 General Assembly of 2018
12 Section 27

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

15 **Chapter 489 of the Acts of 2015, as amended by Chapter 24 of the Acts of 2016**
16 **and Chapter 824 of the Acts of 2018**

17 SECTION 27. AND BE IT FURTHER ENACTED, That the Attorney General shall
18 review the decision of the U.S. Supreme Court in the appeal of Maryland State Comptroller

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 of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) and advise the Comptroller
2 whether the decision, expressly or in effect, requires the payment of income tax refunds
3 and interest attributable to taxable years beginning after December 31, 2005, but before
4 January 1, 2015, and, if the Attorney General so advises, the Comptroller shall initially
5 pay the refunds and interest from the Local Reserve Account (Account) established to
6 comply with § 2-606 of the Tax – General Article. After the Comptroller pays the refunds
7 and interest from the Account, each local government shall reimburse the Account for its
8 share of related refunds and interest. If an affected local government does not reimburse
9 the Account in a timely fashion, the Comptroller shall withhold the amount owed to the
10 Account from the quarterly income tax distributions in [twenty] **EIGHTY** equal
11 installments, beginning with the first applicable quarterly distribution made after
12 February 2021, until the Account is fully reimbursed.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.