

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1535 (Delegate Brooks)
 Judiciary

Comptroller - Duties - Designations of and Responses to Personal
 Representatives

This bill requires the Comptroller to provide a person a written response that confirms or denies the validity of an executed power of attorney within two business days after the Comptroller receives a power of attorney form designating the person as a personal representative for a taxpayer. If the person who is designated as a personal representative requests tax-related documents, the Comptroller must provide the documents within two business days after receiving the request.

Fiscal Summary

State Effect: General fund expenditures increase by \$161,300 in FY 2021 due to implementation costs at the Comptroller’s Office. Future years reflect annualization and ongoing expenditures. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	161,300	194,400	199,100	206,000	213,100
Net Effect	(\$161,300)	(\$194,400)	(\$199,100)	(\$206,000)	(\$213,100)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Unless an exception is identified, the Comptroller may not disclose information contained in tax returns or other documents filed with the agency to persons other than the taxpayer or taxpayer's representative.

The Comptroller's Office requires a person to file a power of attorney before releasing tax information to a representative. The power of attorney allows the representative to act on behalf of the taxpayer to the extent indicated on the power of attorney filed with the Comptroller, with respect to any matters affecting a tax or fee administered by the Comptroller. The power granted is limited to these tax matters.

State Expenditures: The Comptroller's Office advises that it will incur additional costs beginning in fiscal 2021 as a result of hiring two administrative managers to satisfy the bill's requirements. As a result, general fund expenditures increase by \$161,300 in fiscal 2021, which reflects the bill's October 1, 2020 effective date. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salary and Fringe Benefits	\$150,609
Operating Expenses	10,733
Total FY 2021 Expenditures	\$161,342

Future year expenditures reflect full salaries with annual increases and employee turnover as well as ongoing operating expenses.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Comptroller's Office; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2020
rh/rjr

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