

# SENATE BILL 553

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CF HB 554

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By: **The President (By Request – Administration) and Senators Jackson, Jennings, Smith, Bailey, Beidle, Benson, Brooks, Carozza, Corderman, Elfreth, Ellis, Folden, Gallion, Gile, Griffith, Hershey, Hester, Hettleman, James, Kagan, King, Klausmeier, McKay, Ready, Salling, Waldstreicher, Watson, West, and Zucker**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Income Tax – Subtraction Modification for Military Retirement Income**  
3 **(Keep Our Heroes Home Act)**

4 FOR the purpose of increasing the amount of a certain subtraction modification under the  
5 Maryland income tax for certain military retirement income received by individuals,  
6 ~~regardless of age,~~ during the taxable year for certain military service; and generally  
7 relating to a subtraction modification under the Maryland income tax for military  
8 retirement income.

9 BY repealing and reenacting, without amendments,  
10 Article – Tax – General  
11 Section 10–207(a)  
12 Annotated Code of Maryland  
13 (2022 Replacement Volume)

14 BY repealing and reenacting, with amendments,  
15 Article – Tax – General  
16 Section 10–207(q)  
17 Annotated Code of Maryland  
18 (2022 Replacement Volume)

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### 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 10–207.

5 (a) To the extent included in federal adjusted gross income, the amounts under  
6 this section are subtracted from the federal adjusted gross income of a resident to determine  
7 Maryland adjusted gross income.

8 (q) (1) (i) In this subsection the following words have the meanings  
9 indicated.

10 (ii) “Military retirement income” means retirement income,  
11 including death benefits, received as a result of military service.

12 (iii) “Military service” means:

13 1. induction into the armed forces of the United States for  
14 training and service under the Selective Training and Service Act of 1940 or a subsequent  
15 act of a similar nature;

16 2. membership in a reserve component of the armed forces of  
17 the United States;

18 3. membership in an active component of the armed forces of  
19 the United States;

20 4. membership in the Maryland National Guard; or

21 5. active duty with the commissioned corps of the Public  
22 Health Service, the National Oceanic and Atmospheric Administration, or the Coast and  
23 Geodetic Survey.

24 (2) The subtraction under subsection (a) of this section includes:

25 ~~(i)~~ if, on the last day of the taxable year, the individual is under the  
26 age of 55 years, the first ~~\$5,000~~ **\$12,500** of military retirement income received by an  
27 individual during the taxable year; and

28 (ii) if, on the last day of the taxable year, the individual is at least 55  
29 years old, the first ~~\$15,000~~ **\$20,000** of military retirement income received by an individual  
30 during the taxable year~~†~~

1 ~~(I) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31,~~  
2 ~~2022, BUT BEFORE JANUARY 1, 2024, THE FIRST \$25,000 OF MILITARY RETIREMENT~~  
3 ~~INCOME RECEIVED BY AN INDIVIDUAL DURING THE TAXABLE YEAR; AND~~

4 ~~(II) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31,~~  
5 ~~2023, THE FIRST \$40,000 OF MILITARY RETIREMENT INCOME RECEIVED BY AN~~  
6 ~~INDIVIDUAL DURING THE TAXABLE YEAR.~~

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2023, and shall be applicable to all taxable years beginning after December 31, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.