

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 521
 Ways and Means

(Delegate Griffith, *et al.*)

Income Tax - Subtraction Modification - Public Safety Volunteers

This bill (1) consolidates the existing subtraction modification programs for volunteer police personnel and volunteer fire, rescue, and emergency services personnel under a “public safety volunteer” subtraction modification and makes various related changes; (2) increases the value of the subtraction modification for police auxiliaries and reserve volunteers from \$5,000 to \$7,000 for tax year 2023 (consistent with the value of the existing subtraction modification for volunteer fire, rescue, and emergency services personnel); and (3) increases the value of the subtraction modification for all eligible public safety volunteers to \$10,000 beginning in tax year 2024. **The bill takes effect July 1, 2023, and applies to tax year 2023 and beyond.**

Fiscal Summary

State Effect: General fund revenues decrease by \$21,000 in FY 2024 and \$1.3 million beginning in FY 2025, as discussed below. General fund expenditures increase by \$5,000 in FY 2024 and \$10,000 in FY 2025 only.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
GF Revenue	(\$21,000)	(\$1,279,500)	(\$1,279,500)	(\$1,279,500)	(\$1,279,500)
GF Expenditure	\$5,000	\$10,000	\$0	\$0	\$0
Net Effect	(\$26,000)	(\$1,289,500)	(\$1,279,500)	(\$1,279,500)	(\$1,279,500)

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

Local Effect: Local revenues decrease by \$14,000 in FY 2024 and by \$834,800 annually thereafter, as discussed below. Local expenditures are not affected.

Small Business Effect: None.

Analysis

Current Law: The Honorable Louis L. Goldstein Volunteer Police Personnel Subtraction Modification Program authorizes a subtraction modification of \$5,000 against the State income tax for qualifying police auxiliaries and reserve volunteers.

A similar program – the Honorable Louis L. Goldstein Volunteer Fire, Rescue, and Emergency Medical Services Personnel Subtraction Modification Program – authorizes a subtraction modification against the State income tax for qualifying volunteer fire, rescue, or emergency medical services (EMS) members. The value of the subtraction modification is \$7,000 for tax year 2022 and beyond.

Similar eligibility requirements apply to the volunteer police personnel and volunteer fire, rescue, and EMS personnel subtraction modifications. In general, an individual must (1) be an active member of a qualifying organization; (2) serve the organization in a volunteer capacity; and (3) have been an active member of a qualifying organization for at least 36 months during the last 10 calendar years by December 31 of the taxable year. In addition, an individual must:

- qualify for active status during the taxable year under a specified program, or have maintained active status under a specified program for at least 25 years;
- be a member of the National Guard or other reserve component of the U.S. Armed Forces who has been ordered into active military service and serves on active duty during the taxable year; or
- be a civilian or member of the Merchant Marines on assignment in support of the U.S. Armed Forces in a designated combat zone during the taxable year.

State Revenues: General fund revenues decrease by an estimated \$21,000 in fiscal 2024 and \$1.3 million annually thereafter due to increases in the value of subtraction modifications claimed against the Maryland income tax. This estimate is based on tax year 2020 and 2021 claims for the existing subtraction modifications and assumes a similar number of taxpayers will claim the subtraction modifications at the higher values in tax year 2023 and then 2024 and future years.

State Expenditures: General fund expenditures for the Comptroller's Office increase by \$5,000 in fiscal 2024 and \$10,000 in fiscal 2025 for changes to the Comptroller's tax systems, consistent with the timing of the increases in the value of the subtraction modifications.

Local Revenues: Local income tax revenues decrease by an estimated \$14,000 in fiscal 2024 and \$834,800 annually thereafter due to increases in the value of subtraction modifications claimed against the personal income tax.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See SB 117, SB 122, and HB 1472 of 2022.

Designated Cross File: SB 76 (Senator Bailey) - Budget and Taxation.

Information Source(s): Maryland Municipal League; Comptroller's Office; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2023
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