

Chapter 791

(Senate Bill 580)

AN ACT concerning

**Sales and Use Tax – Nonprofit Organizations Maintaining Memorials
– Exemption**

FOR the purpose of providing that the sales and use tax does not apply to a sale by a nonprofit organization that maintains a memorial on property that is owned by the State, subject to a certain limitation; and generally relating to exemptions from the sales and use tax.

BY repealing and reenacting, with amendments,
 Article – Tax – General
 Section 11–204(b)(6) and (7)
 Annotated Code of Maryland
 (2022 Replacement Volume and 2023 Supplement)

BY adding to
 Article – Tax – General
 Section 11–204(b)(8)
 Annotated Code of Maryland
 (2022 Replacement Volume and 2023 Supplement)

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

Article – Tax – General

11–204.

(b) The sales and use tax does not apply to a sale by:

(6) a parent–teacher organization or other organization within an elementary or secondary school in the State or within a school system in the State; [or]

(7) subject to subsection (e) of this section, a bona fide church, religious organization, or other nonprofit organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code if:

(i) the sale is made at an auction sale; and

(ii) the proceeds of the sale are used to carry on the exempt purposes of the church or organization; **OR**

(8) A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE THAT MAINTAINS A MEMORIAL ON PROPERTY THAT IS OWNED BY THE STATE IF THE PROCEEDS OF THE SALE ARE USED TO MAINTAIN A MEMORIAL ON PROPERTY THAT IS OWNED BY THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, May 16, 2024.