

# HOUSE BILL 245

Q7  
HB 100/24 – W&M

(PRE-FILED)

5lr1472

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By: **Delegate Cardin**

Requested: October 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Inheritance Tax – Beneficiaries of Limited Means – Installment Payments**

3 FOR the purpose of requiring a register of wills to allow an installment payment plan for  
4 the inheritance tax to be paid by a certain beneficiary of limited means under certain  
5 circumstances and subject to certain limitations; and generally relating to the  
6 inheritance tax.

7 BY adding to

8 Article – Tax – General

9 Section 7–218.1

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2024 Supplement)

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

14 **Article – Tax – General**

15 **7–218.1.**

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
17 INDICATED.

18 (2) “AGRICULTURAL LAND” MEANS REAL PROPERTY THAT IS OR WAS  
19 ASSESSED ON THE BASIS OF FARM OR AGRICULTURAL USE UNDER § 8–209 OF THE  
20 TAX – PROPERTY ARTICLE.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) “BENEFICIARY OF LIMITED MEANS” MEANS AN INDIVIDUAL**  
2 **ENTITLED TO PROPERTY OF A DECEDENT IF THE INDIVIDUAL’S FEDERAL ADJUSTED**  
3 **GROSS INCOME DOES NOT EXCEED:**

4                   **(I) \$125,000 FOR AN INDIVIDUAL OTHER THAN AN INDIVIDUAL**  
5 **DESCRIBED IN ITEM (II) OF THIS PARAGRAPH; OR**

6                   **(II) \$250,000 FOR SPOUSES FILING A JOINT RETURN OR FOR A**  
7 **SURVIVING SPOUSE OR HEAD OF HOUSEHOLD AS DEFINED IN § 2 OF THE INTERNAL**  
8 **REVENUE CODE.**

9           **(4) “ELIGIBLE REAL PROPERTY” MEANS REAL PROPERTY THAT:**

10                   **(I) PASSES FROM THE DECEDENT TO A BENEFICIARY OF**  
11 **LIMITED MEANS; AND**

12                   **(II) 1. IS THE PRIMARY RESIDENCE OF THE BENEFICIARY OF**  
13 **LIMITED MEANS; OR**

14                                   **2. IS AGRICULTURAL LAND THAT THE BENEFICIARY OF**  
15 **LIMITED MEANS MAINTAINS AS AGRICULTURAL LAND.**

16           **(5) “FEDERAL ADJUSTED GROSS INCOME” HAS THE MEANING STATED**  
17 **IN § 10–101 OF THIS ARTICLE.**

18           **(B) ON APPLICATION OF A BENEFICIARY OF LIMITED MEANS, THE REGISTER**  
19 **WHO DETERMINES THE INHERITANCE TAX UNDER § 7–214 OF THIS SUBTITLE SHALL**  
20 **ALLOW AN INSTALLMENT PAYMENT PLAN FOR THE INHERITANCE TAX TO BE PAID BY**  
21 **THE BENEFICIARY OF LIMITED MEANS ON ELIGIBLE REAL PROPERTY IF PAYMENT**  
22 **OF THE INHERITANCE TAX ON THE DUE DATE WOULD REQUIRE THE SALE OF THE**  
23 **ELIGIBLE REAL PROPERTY.**

24           **(C) A BENEFICIARY OF LIMITED MEANS MAY APPLY FOR THE INSTALLMENT**  
25 **PAYMENT PLAN BY FILING WITH THE REGISTER AN APPLICATION ON THE FORM AND**  
26 **IN THE MANNER THAT THE REGISTER REQUIRES.**

27           **(D) THE REGISTER SHALL SPECIFY THE INSTALLMENT PAYMENT SCHEDULE**  
28 **AND THE AMOUNT OF ANY INSTALLMENT PAYMENTS AUTHORIZED UNDER THIS**  
29 **SECTION.**

30           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2025, and shall be applicable to all decedents dying on or after July 1, 2025.