HOUSE BILL 546

 $\mathbf{Q7}$ 5lr1882 HB 1067/24 - W&M **CF SB 605** By: Delegate Feldmark Introduced and read first time: January 22, 2025 Assigned to: Ways and Means Committee Report: Favorable House action: Adopted Read second time: March 1, 2025 CHAPTER AN ACT concerning Digital Advertising Gross Revenues Tax - Assessments - Appeals and Corrections FOR the purpose of establishing a certain appeal process for persons who are subject to the digital advertising gross revenues tax and receive a notice of assessment from the Comptroller; authorizing the Comptroller or the Comptroller's designee to issue an order to correct an erroneous assessment of the digital advertising gross revenues tax, subject to certain conditions; and generally relating to the digital advertising gross revenues tax. BY repealing and reenacting, without amendments, Article - Tax - General Section 13–402(a)(6) Annotated Code of Maryland (2022 Replacement Volume and 2024 Supplement) BY repealing and reenacting, with amendments, Article – Tax – General Section 13-508 and 13-509 Annotated Code of Maryland (2022 Replacement Volume and 2024 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

1

2

3

4

5

6

7

8 9

10

11

12

13

14

15

16 17

18 19

20

21

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



31

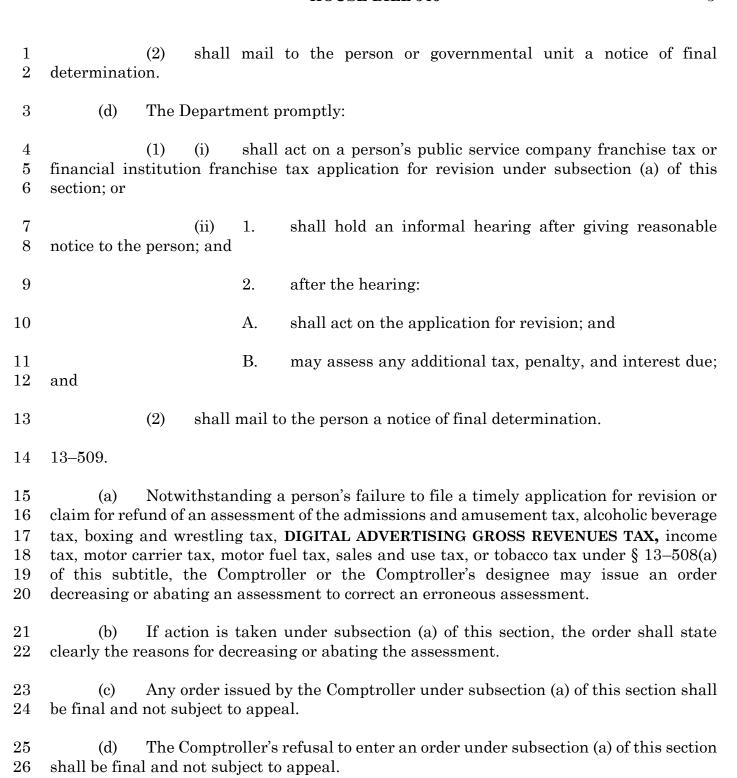
32

and

2 1 Article - Tax - General 2 13-402.3 If a notice and demand for a return is made under § 13–303 of this title and 4 the person or governmental unit fails to file the return, the tax collector shall: 5 (6)for digital advertising gross revenues tax: 6 estimate gross revenues from the best information in possession 7 of the tax collector; and 8 (ii) assess the tax due on the estimated assessable base. 9 13-508.10 Within 30 days after the date on which a notice of assessment of the (a) 11 admissions and amusement tax, alcoholic beverage tax, boxing and wrestling tax, DIGITAL 12 ADVERTISING GROSS REVENUES TAX, income tax, motor carrier tax, motor fuel tax, 13 public service company franchise tax, financial institution franchise tax, sales and use tax, 14 or tobacco tax is mailed, a person or governmental unit against which the assessment is made may submit to the tax collector: 15 16 (1) an application for revision of the assessment; or 17 except for the public service company franchise tax, if the assessment 18 is paid, a claim for refund. 19 If a person or governmental unit fails to submit an application for revision or 20 claim for refund within the time allowed in subsection (a) of this section, the assessment 21 becomes final. 22 The Comptroller or an employee of the Comptroller's office expressly 23designated by the Comptroller promptly: 24shall hold an informal hearing on a person's or governmental (1) 25 unit's admissions and amusement tax, alcoholic beverage tax, boxing and wrestling tax, 26 DIGITAL ADVERTISING GROSS REVENUES TAX, income tax, motor carrier tax, motor fuel 27tax, sales and use tax, or tobacco tax application for revision or claim for refund under 28 subsection (a) of this section; and 29 after the hearing: (ii) 30 1. shall act on the application for revision; and

may assess any additional tax, penalty, and interest due;

2.



SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2026, and shall be applicable to assessments of the digital advertising gross revenues tax made after December 31, 2025.