

HOUSE BILL 933

Q4

6lr3019
CF SB 644

By: Delegate Wilkins

Introduced and read first time: February 5, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax – Certificates Indicating Multiple Points of Use – Alterations**

3 FOR the purpose of providing that, for purposes of certain laws governing the sales and use
4 tax, a certain certificate indicating multiple points of use of certain digital codes,
5 digital products, or taxable services shall be deemed fully completed under certain
6 circumstances; providing that a buyer is not required to obtain prior approval from
7 the Comptroller before presenting a certificate indicating multiple points of use to a
8 vendor; requiring the Comptroller to relieve a vendor of the obligation to collect, pay,
9 or remit certain sales and use tax under certain circumstances; providing that a
10 certificate indicating multiple points of use shall remain in effect for certain future
11 sales except under certain circumstances; requiring the Comptroller to publish a
12 certain form for a certificate indicating multiple points of use in a certain manner;
13 applying this Act retroactively; and generally relating to the sales and use tax and
14 certificates indicating multiple points of use.

15 BY repealing and reenacting, without amendments,

16 Article – Tax – General

17 Section 11–403(a)

18 Annotated Code of Maryland

19 (2022 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Tax – General

22 Section 11–403(e)

23 Annotated Code of Maryland

24 (2022 Replacement Volume and 2025 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

27 **Article – Tax – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11–403.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “Affiliated group” has the meaning stated under § 1504 of the Internal
4 Revenue Code and includes related parties described under § 267(b)(10), (11), or (12) of the
5 Internal Revenue Code.

6 (3) “Pass–through entity” has the meaning stated in § 10–102.1 of this
7 article.

8 (4) “Related pass–through entities” means one or more pass–through
9 entities connected through ownership with a common parent pass–through entity but only
10 if the common parent:

11 (i) possesses at least 80% of the total voting power of the
12 pass–through entity; and

13 (ii) has a value equal to at least 80% of the total value of the
14 pass–through entity.

15 (5) “Sales” includes a booking transaction made through a short–term
16 rental platform.

17 (e) (1) A buyer may present to the vendor a **FULLY COMPLETED** certificate
18 indicating multiple points of use of a digital code, digital product, or taxable service
19 described under § 11–101(m)(14) or (15) of this title, if:

20 (i) the buyer knows at the time of purchase that the digital code,
21 digital product, or taxable service described under § 11–101(m)(14) or (15) of this title will
22 be:

23 1. concurrently available for use by the buyer in more than
24 one taxing jurisdiction; or

25 2. resold in its original form to a member of an affiliated
26 group or a related pass–through entity of which the buyer is also a member; and

27 (ii) the buyer delivers to the vendor the certificate indicating
28 multiple points of use at the time of purchase.

29 (2) **A CERTIFICATE INDICATING MULTIPLE POINTS OF USE SHALL BE**
30 **DEEMED FULLY COMPLETED IF THE CERTIFICATE CONTAINS THE FOLLOWING**
31 **INFORMATION:**

- (I) THE NAME OF THE BUYER;
 - (II) THE ADDRESS OF THE BUYER;
 - (III) THE MARYLAND COMBINED REGISTRATION NUMBER OF
 - (IV) THE NAME OF THE VENDOR;
 - (V) THE ADDRESS OF THE VENDOR; AND
 - (VI) A STATEMENT AFFIRMING THAT ALL PURCHASES BY THE VENDOR WILL HAVE MULTIPLE POINTS OF USE.

24 (IV) A CERTIFICATE INDICATING MULTIPLE POINTS OF USE
25 SHALL REMAIN IN EFFECT FOR ALL FUTURE SALES BY THE VENDOR TO THE BUYER
26 OF DIGITAL CODES, DIGITAL PRODUCTS, OR TAXABLE SERVICES DESCRIBED UNDER
27 § 11-101(M)(14) OR (15) OF THIS TITLE UNTIL THE CERTIFICATE IS REVOKED IN
28 WRITING.

29 **[(3)] (5)** The buyer delivering the certificate indicating multiple points of
30 use may use any reasonable but consistent and uniform method of apportionment that is
31 supported by the buyer's records as they exist at the time of the sale and accurately reflects
32 the primary use location in the State.

1 **[(4)] (6)** (i) If the apportionment on the certificate indicating multiple
2 points of use is determined based on a subsequent resale to one or more members of an
3 affiliated group or related pass-through entities, the affiliated member or related
4 pass-through entity reselling the digital code, digital product, or taxable service described
5 under § 11–101(m)(14) or (15) of this title to another affiliated member or related
6 pass-through entity shall:

7 1. assume or absorb the sales and use tax due from the
8 affiliated member or members or related pass-through entity or entities on that portion of
9 the sale apportioned to the State and pay the sales and use tax due on behalf of the affiliated
10 member or members or related pass-through entity or entities; or

11 2. be liable for the sales and use tax due from the affiliated
12 member or members or related pass-through entity or entities if the sales and use tax due
13 is not paid by the affiliated member or members or related pass-through entity or entities.

14 (ii) If the sales and use tax is paid as provided in subparagraph (i) of
15 this paragraph, the affiliated member end user or related pass-through entity end user is
16 relieved of the obligation to pay or remit the applicable tax to the Comptroller.

17 **[(5)] (7)** Notwithstanding any other provision of this subsection, if the
18 taxable price of a subsequent resale of a digital code, digital product, or taxable service
19 described under § 11–101(m)(14) or (15) of this title to an affiliated group member or related
20 pass-through entity is higher than the taxable price on which the sales and use tax was
21 paid, the end user shall be liable for the additional sales and use tax due on the difference
22 in the taxable price.

23 **[(6)] (8)** **(I)** The certificate indicating multiple points of use shall
24 include all information required by the Comptroller.

25 **(II) THE COMPTROLLER SHALL PUBLISH A FORM FOR A**
26 **CERTIFICATE INDICATING MULTIPLE POINTS OF USE IN THE MANNER REQUIRED BY**
27 **THIS SUBSECTION, INCLUDING THE INFORMATION DESCRIBED UNDER PARAGRAPH**
28 **(2) OF THIS SUBSECTION.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
30 apply retroactively and shall be applied to and interpreted to affect any retail sale or use
31 in the State occurring on or after July 1, 2025.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
33 1, 2026.