

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 933
Ways and Means

(Delegate Wilkins)

Sales and Use Tax - Certificates Indicating Multiple Points of Use - Alterations

This bill alters provisions of the State sales and use tax regarding multiple points of use (MPU) certificates. The bill specifies that a MPU certificate for the purchase and use of specified digital codes, digital products, and taxable data and information technology (IT) services must be deemed fully completed if the certificate contains specified identifying information about the buyer. Under the bill, a buyer is not required to obtain prior approval from the Comptroller in order to present an MPU certificate to a vendor. The Comptroller must relieve a vendor of the obligation to collect, pay, or remit the tax applicable if the vendor obtains a fully completed MPU certificate from the buyer within 90 days after the date of the sale. The Comptroller must publish a specified MPU form. **The bill takes effect July 1, 2026, and applies retroactively to any retail sale or use in the State occurring on or after July 1, 2025.**

Fiscal Summary

State Effect: Potential decrease in State general fund revenues due to the reduction in tax compliance capacity at the Comptroller's Office. General fund expenditures increase by \$230,300 in FY 2027 for personnel and one-time computer programming changes. Future year expenditures reflect annualization and inflation.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
GF Revenue	-	-	-	-	-
GF Expenditure	\$230,300	\$181,200	\$189,700	\$198,300	\$207,000
Net Effect	(\$230,300)	(\$181,200)	(\$189,700)	(\$198,300)	(\$207,000)

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

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Chapter 604 of 2025 (Budget Reconciliation and Financing Act of 2025) expanded the definition of taxable services under the State sales and use tax, beginning in fiscal 2026, to include data and IT services described under North American Industrial Classification System (NAICS) sectors 5132, 518, 519, and 5415. NAICS sector 5132 includes software publishing services and NAICS sectors 518, 519, and 5415 include, respectively, (1) computing infrastructure providers, data processing, web hosting, and related services; (2) web search portals, libraries, archives, and other information services; and (3) computer systems design and related services. Chapter 604 specified that the sales and use tax on data and IT services does not apply to (1) sales of cloud computing services to a qualified cybersecurity business or (2) sales to or by a qualified company in an emerging technology development area, which encompasses quantum computing research and development at the University of Maryland, College Park Campus.

Chapter 604 imposes a 3.0% sales and use tax on these data and IT services and distributes the revenue to the general fund. Chapter 604 also shifted the responsibility of collecting and remitting the sales and use tax from the vendor to the buyer in instances where the buyer presents a completed MPU certificate verified by the Comptroller to the seller of specified digital codes, digital products, or specified taxable data and IT services.

The December 2025 general fund revenue forecast assumes \$609.0 million in revenues from the data and IT services sales and use tax in fiscal 2027 and \$769.9 million in fiscal 2031.

Multiple Points of Use Certificate

The Comptroller's Office issued a Maryland Tax Alert addressing sales and use tax changes made during the 2025 legislative session including MPU certificates and the sales and use tax imposed on data and IT services. A copy of the alert can be found here: [Tax Alert Sales and Use Tax Updates 2025-2026](#).

State Revenues: As noted, Chapter 604 shifted the responsibility of collecting the State sales and use tax from the vendor to the buyer in instances where the buyer presents a completed and verified MPU certificate to the seller of specified digital codes, digital products, or specified taxable data and IT services.

This bill does not alter this general requirement but instead does not require prior approval from the Comptroller before a buyer may present a fully completed MPU certificate to a seller. As a result, the bill does not alter the amount of sales and use taxes that must be collected and paid for specified purchases and still requires the buyer, rather than the seller to collect and remit the sales and use tax under specified circumstances. As such, the bill should not have an effect on State sales and use tax revenues.

However, the Comptroller's Office advises that the bill may make it harder for the Comptroller to verify that a filer actually has a MPU certificate. This could result in fraudulent MPU certificates being issued due to a lack of verification, which could result in a decrease in sales and use tax collections.

The Comptroller's Office reports that 751 MPU certificates have been issued through January 2026.

State Expenditures: General fund expenditures for the Comptroller's Office increase by \$230,300 in fiscal 2027 and by \$207,000 in fiscal 2031. This estimate is based on hiring two financial compliance auditors to validate the accuracy of the taxable status of purchases made under MPUs that are not issued by the Comptroller. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. This estimate includes a one-time computer programming expense totaling approximately \$75,000 in fiscal 2027 to update the tax collection system. These costs include discovery, design, development, testing, and system interfaces.

Positions	2.0
Salaries and Fringe Benefits	\$137,065
Computer Programming and Modification	75,000
Operating Expenses	<u>18,282</u>
Total FY 2027 Comptroller Expenditures	\$230,347

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 644 (Senator King) - Budget and Taxation.

Information Source(s): Comptroller's Office; Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2026
jg/hlb

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