

HOUSE BILL 275

Q3

2lr0360
CF SB 210

By: **Delegates Weir, Aumann, Boteler, Cluster, Jacobs, Minnick, and Olszewski**

Introduced and read first time: January 27, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Qualified Maryland Toll Expenses**

3 FOR the purpose of allowing a subtraction modification under the Maryland income
4 tax for certain amounts paid in a certain manner by individuals for certain toll
5 expenses; defining certain terms; providing for the application of this Act; and
6 generally relating to a Maryland income tax subtraction modification for certain
7 amounts paid in a certain manner for certain tolls.

8 BY repealing and reenacting, without amendments,
9 Article – Tax – General
10 Section 10–208(a)
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2011 Supplement)

13 BY adding to
14 Article – Tax – General
15 Section 10–208(r)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2011 Supplement)

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

20 **Article – Tax – General**

21 10–208.

22 (a) In addition to the modification under § 10–207 of this subtitle, the
23 amounts under this section are subtracted from the federal adjusted gross income of a
24 resident to determine Maryland adjusted gross income.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(R) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
2 **THE MEANINGS INDICATED.**

3 **(II) “NONREFUNDABLE TRANSPONDER DEPOSIT” MEANS**
4 **ANY AMOUNT PAID FOR AN E-ZPASS MARYLAND TRANSPONDER THAT IS NOT**
5 **MADE AVAILABLE AS A PREPAID TOLL BALANCE.**

6 **(III) “QUALIFIED TOLL EXPENSES” MEANS ANY PAYMENT**
7 **MADE DURING THE TAXABLE YEAR FOR AMOUNTS EXPENDED BY AN INDIVIDUAL**
8 **FOR TOLLS PAID ELECTRONICALLY THROUGH THE USE OF THE E-ZPASS**
9 **MARYLAND PROGRAM AS AUTHORIZED BY THE MARYLAND TRANSPORTATION**
10 **AUTHORITY FOR NONCOMMERCIAL TRAVEL ON TOLL ROADS, BRIDGES, AND**
11 **TUNNELS IN THE STATE.**

12 **(2) SUBJECT TO PARAGRAPHS (3), (4), AND (5) OF THIS**
13 **SUBSECTION, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION**
14 **INCLUDES THE QUALIFIED TOLL EXPENSES INCURRED BY AN INDIVIDUAL**
15 **DURING THE TAXABLE YEAR.**

16 **(3) THE SUBTRACTION UNDER THIS SUBSECTION DOES NOT**
17 **APPLY UNLESS THE AMOUNT OF QUALIFIED TOLL EXPENSES INCURRED BY THE**
18 **INDIVIDUAL DURING THE TAXABLE YEAR EQUALS OR EXCEEDS \$25.**

19 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
20 **THE TOTAL AMOUNT OF QUALIFIED TOLL EXPENSES SUBTRACTED FOR A**
21 **TAXABLE YEAR MAY NOT EXCEED:**

22 **1. \$1,000 FOR SPOUSES FILING A JOINT RETURN;**
23 **AND**

24 **2. \$500 FOR ALL OTHER INDIVIDUALS.**

25 **(II) THE AMOUNT DISALLOWED AS A SUBTRACTION UNDER**
26 **THIS SUBSECTION FOR ANY TAXABLE YEAR AS A RESULT OF THE LIMITATION**
27 **UNDER THIS PARAGRAPH MAY BE CARRIED OVER UNTIL USED TO THE NEXT 3**
28 **SUCCEEDING TAXABLE YEARS AS A SUBTRACTION.**

29 **(5) THE SUBTRACTION ALLOWED UNDER THIS SUBSECTION MAY**
30 **NOT INCLUDE:**

31 **(I) ANY AMOUNT FOR WHICH THE TAXPAYER IS ELIGIBLE**
32 **FOR A DEDUCTION UNDER THE INTERNAL REVENUE CODE;**

1 **(II) ANY AMOUNT PAID AS A NONREFUNDABLE**
2 **TRANSPONDER DEPOSIT; OR**

3 **(III) ANY AMOUNT REIMBURSED BY AN EMPLOYER.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2012, and shall be applicable to all taxable years beginning after December 31,
6 2011.