

# HOUSE BILL 792

Q4

11r2202

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By: **Delegate Anderton**

Introduced and read first time: January 29, 2021

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax – Tax-Free Periods – University and College Textbooks**

3 FOR the purpose of designating certain periods each year to be tax-free periods during  
4 which an exemption from the sales and use tax is provided for the sale of certain  
5 textbooks purchased by certain individuals; defining a certain term; and generally  
6 relating to sales and use tax-free periods for the sale of university and college  
7 textbooks.

8 BY adding to

9 Article – Tax – General

10 Section 11–241

11 Annotated Code of Maryland

12 (2016 Replacement Volume and 2020 Supplement)

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

15 **Article – Tax – General**

16 **11–241.**

17 **(A) (1) IN THIS SECTION, “TEXTBOOK” MEANS A BOOK:**

18 **(I) WRITTEN, DESIGNED, AND PRODUCED FOR EDUCATIONAL,**  
19 **INSTRUCTIONAL, OR PEDAGOGICAL PURPOSES; AND**

20 **(II) REQUIRED FOR A COURSE AT A COMMUNITY COLLEGE**  
21 **ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE, A PRIVATE**  
22 **NONPROFIT INSTITUTION OF HIGHER EDUCATION AS DEFINED IN § 10–101 OF THE**  
23 **EDUCATION ARTICLE, A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION AS**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 DEFINED IN § 10-101 OF THE EDUCATION ARTICLE, OR A REGIONAL HIGHER  
2 EDUCATION CENTER AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE.

3 (2) "TEXTBOOK" INCLUDES A BOOK THAT IS READ USING A  
4 COMPUTER, TABLET, OR ANY OTHER ELECTRONIC DEVICE.

5 (B) (1) BEGINNING IN CALENDAR YEAR 2021, THE LAST 7 DAYS OF  
6 AUGUST SHALL BE A TAX-FREE PERIOD FOR RETURN-TO-SCHOOL SHOPPING IN  
7 MARYLAND DURING WHICH THE EXEMPTION UNDER PARAGRAPH (3) OF THIS  
8 SUBSECTION SHALL APPLY.

9 (2) BEGINNING IN CALENDAR YEAR 2022, IN ADDITION TO THE  
10 TAX-FREE PERIOD ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION, THE  
11 FIRST 7 DAYS OF FEBRUARY SHALL BE A TAX-FREE PERIOD FOR  
12 RETURN-TO-SCHOOL SHOPPING IN MARYLAND DURING WHICH THE EXEMPTION  
13 UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL APPLY.

14 (3) DURING THE TAX-FREE PERIODS FOR RETURN-TO-SCHOOL  
15 SHOPPING ESTABLISHED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION,  
16 THE SALES AND USE TAX DOES NOT APPLY TO THE SALE OF A TEXTBOOK THAT IS  
17 PURCHASED BY A FULL-TIME OR PART-TIME STUDENT ENROLLED AT A COMMUNITY  
18 COLLEGE ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE, A PRIVATE  
19 NONPROFIT INSTITUTION OF HIGHER EDUCATION AS DEFINED IN § 10-101 OF THE  
20 EDUCATION ARTICLE, A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION AS  
21 DEFINED IN § 10-101 OF THE EDUCATION ARTICLE, OR A REGIONAL HIGHER  
22 EDUCATION CENTER AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE.

23 (C) AN INDIVIDUAL MAY ESTABLISH FULL-TIME OR PART-TIME STUDENT  
24 STATUS BY PRODUCING A VALID STUDENT IDENTIFICATION CARD AT THE TIME OF  
25 PURCHASE OF THE TEXTBOOK.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2021.