

HOUSE BILL 1093

Q3

(9lr2748)

ENROLLED BILL

— Ways and Means/Budget and Taxation —

Introduced by Delegates P. Young and Lisanti, Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Retirement Income**
3 ***(The Jonathan Porto Act)***

4 FOR the purpose of including income from certain death benefits within a certain
5 subtraction modification allowed under the Maryland income tax for certain military
6 retirement income; providing for the application of this Act; and generally relating
7 to subtraction modifications under the Maryland income tax for military retirement
8 income.

9 BY repealing and reenacting, without amendments,
10 Article – Tax – General
11 Section 10–207(a)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2016 Replacement Volume and 2018 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Tax – General
5 Section 10–207(q)
6 Annotated Code of Maryland
7 (2016 Replacement Volume and 2018 Supplement)

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

10 **Article – Tax – General**

11 10–207.

12 (a) To the extent included in federal adjusted gross income, the amounts under
13 this section are subtracted from the federal adjusted gross income of a resident to determine
14 Maryland adjusted gross income.

15 (q) (1) (i) In this subsection the following words have the meanings
16 indicated.

17 (ii) “Military retirement income” means retirement income,
18 **INCLUDING DEATH BENEFITS**, received as a result of military service.

19 (iii) “Military service” means:

20 1. induction into the armed forces of the United States for
21 training and service under the Selective Training and Service Act of 1940 or a subsequent
22 act of a similar nature;

23 2. membership in a reserve component of the armed forces of
24 the United States;

25 3. membership in an active component of the armed forces of
26 the United States;

27 4. membership in the Maryland National Guard; or

28 5. active duty with the commissioned corps of the Public
29 Health Service, the National Oceanic and Atmospheric Administration, or the Coast and
30 Geodetic Survey.

31 (2) The subtraction under subsection (a) of this section includes:

1 (i) if, on the last day of the taxable year, the individual is under the
2 age of 55 years, the first \$5,000 of military retirement income received by an individual
3 during the taxable year; and

4 (ii) if, on the last day of the taxable year, the individual is at least 55
5 years old, the first \$15,000 of military retirement income received by an individual during
6 the taxable year.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2019, and shall be applicable to all taxable years beginning after December 31, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.