

HOUSE BILL 184

Q3

3lr1201
CF 3lr2199

By: **Delegates Lafferty, Beidle, Bromwell, Cardin, Haddaway–Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh, Niemann, O'Donnell, Otto, S. Robinson, and Stein**

Introduced and read first time: January 21, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax Credit – Oyster Shell Recycling**

3 FOR the purpose of allowing an individual or corporation a credit against the State
4 income tax for each bushel of oyster shells recycled during the taxable year;
5 requiring an individual or corporation that claims the credit to provide
6 verification of the amount of oyster shells recycled; providing that the credit
7 may not exceed a certain amount; providing that the credit may not be carried
8 forward to another taxable year; requiring the Department of Natural
9 Resources and the Comptroller jointly to adopt certain regulations; providing for
10 the application of this Act; and generally relating to an income tax credit for
11 oyster shell recycling.

12 BY adding to
13 Article – Tax – General
14 Section 10–724.1
15 Annotated Code of Maryland
16 (2010 Replacement Volume and 2012 Supplement)

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

19 **Article – Tax – General**

20 **10–724.1.**

21 **(A) (1) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN**
22 **INDIVIDUAL OR A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INCOME TAX IN AN AMOUNT EQUAL TO \$1 FOR EACH BUSHEL OF OYSTER SHELLS
2 RECYCLED DURING THE TAXABLE YEAR.

3 (2) AN INDIVIDUAL OR A CORPORATION THAT CLAIMS THE
4 CREDIT UNDER THIS SECTION SHALL PROVIDE VERIFICATION OF THE AMOUNT
5 OF OYSTER SHELLS RECYCLED DURING THE TAXABLE YEAR WITH THE
6 INDIVIDUAL OR CORPORATION TAX RETURN.

7 (B) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS
8 SECTION MAY NOT EXCEED THE LESSER OF:

9 (I) \$750; OR

10 (II) THE STATE INCOME TAX CALCULATED BEFORE
11 APPLICATION OF THE CREDIT ALLOWED UNDER THIS SECTION AND §§ 10-701
12 AND 10-701.1 OF THIS SUBTITLE.

13 (2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED
14 OVER TO ANY OTHER TAXABLE YEAR.

15 (C) (1) THE DEPARTMENT OF NATURAL RESOURCES AND THE
16 COMPTROLLER JOINTLY SHALL ADOPT REGULATIONS TO CARRY OUT THE
17 PROVISIONS OF THIS SECTION.

18 (2) THE REGULATIONS SHALL ESTABLISH ELIGIBILITY CRITERIA
19 AND PROVIDE FOR THE CERTIFICATION OF BUSINESSES, LANDFILLS, AND
20 NONPROFIT ORGANIZATIONS TO VERIFY THE AMOUNT OF OYSTER SHELLS
21 RECYCLED BY EACH INDIVIDUAL OR CORPORATION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2013, and shall be applicable to all taxable years beginning after December 31,
24 2012.