

# HOUSE BILL 511

Q4

3lr0391

---

By: **Delegate Rosenberg**

Introduced and read first time: January 30, 2013

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Sales and Use Tax – Energy for Residential Use – Exemption**

3 FOR the purpose of exempting from the sales and use tax electricity, steam, or  
4 artificial or natural gas sold for residential use, including in certain  
5 multifamily dwellings; repealing certain existing exemptions from the sales and  
6 use tax for electricity, steam, or artificial or natural gas delivered under a  
7 utility's residential or domestic rate schedule or sold for use in certain  
8 retirement communities; and generally relating to exempting from the sales and  
9 use tax certain energy sold for residential use.

10 BY repealing and reenacting, with amendments,  
11 Article – Tax – General  
12 Section 11–207  
13 Annotated Code of Maryland  
14 (2010 Replacement Volume and 2012 Supplement)

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

17 **Article – Tax – General**

18 11–207.

19 (a) The sales and use tax does not apply to:

20 (1) a sale of electricity, steam, or artificial or natural gas for [use in]  
21 residential USE, INCLUDING IN condominiums, APARTMENT BUILDINGS, NURSING  
22 HOMES, ASSISTED LIVING FACILITIES, COOPERATIVE HOUSING, OR ANY OTHER  
23 MULTIFAMILY DWELLINGS;

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) [a sale of electricity, steam, or artificial or natural gas that is  
2 delivered under a residential or domestic rate schedule on file with the Public Service  
3 Commission;

4           (3)] a sale of coal, firewood, heating oil, or propane gas or similar  
5 liquefied gas for use in residential property that contains not more than 4 units,  
6 cooperative housing, condominiums, or other similar residential living arrangements;  
7 **OR**

8           [(4) a sale of electricity through 3 or more bulk meters for use in a  
9 nonprofit planned retirement community of more than 2,000 housing cooperative or  
10 condominium units if:

11                   (i) ownership of units is restricted by age;

12                   (ii) any unit is served by an individual meter; and

13                   (iii) on or before July 1, 1979, at least 3 bulk meters served the  
14 community; or

15           (5)] **(3)** a sale of electricity generated by solar energy equipment or  
16 residential wind energy equipment, as defined under § 11–230 of this subtitle, for use  
17 in residential property owned by an eligible customer–generator under § 7–306 of the  
18 Public Utilities Article.

19           (b) The sales and use tax does not apply to a sale of wood, wood bark or  
20 residue, or refuse–derived fuel used for heating purposes.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 July 1, 2013.