

HOUSE BILL 815

Q3, M1

5lr2416
CF SB 694

By: **Delegate Lafferty**

Introduced and read first time: February 13, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing an individual or a corporation to sell and transfer a certain
4 verification required for a certain credit against the State income tax for each bushel
5 of oyster shells recycled during the taxable year; requiring the Department of
6 Natural Resources and the Comptroller to jointly adopt certain regulations;
7 providing for the application of this Act; and generally relating to a State income tax
8 credit for oyster shell recycling.

9 BY repealing and reenacting, with amendments,
10 Article – Tax – General
11 Section 10–724.1
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2014 Supplement)

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

16 **Article – Tax – General**

17 10–724.1.

18 (a) (1) Subject to the limitations of this section, an individual or a corporation
19 may claim a credit against the State income tax in an amount equal to \$1 for each bushel
20 of oyster shells recycled during the taxable year.

21 (2) An individual or a corporation that claims the credit under this section
22 shall provide verification of the amount of oyster shells recycled during the taxable year
23 with the individual or corporation tax return.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) (I) AN INDIVIDUAL OR A CORPORATION MAY SELL AND**
2 **TRANSFER THE VERIFICATION REQUIRED FOR THE CREDIT UNDER THIS SECTION TO**
3 **ANOTHER INDIVIDUAL OR CORPORATION.**

4 **(II) AN INDIVIDUAL OR A CORPORATION THAT BUYS THE**
5 **VERIFICATION REQUIRED FOR THE CREDIT UNDER THIS SECTION SHALL PROVIDE**
6 **THE VERIFICATION WITH THE INDIVIDUAL OR CORPORATION TAX RETURN.**

7 (b) (1) For any taxable year, the credit allowed under this section may not
8 exceed the lesser of:

9 (i) \$750; or

10 (ii) the State income tax calculated before application of the credit
11 allowed under this section and §§ 10–701 and 10–701.1 of this subtitle.

12 (2) The unused amount of the credit may not be carried over to any other
13 taxable year.

14 (c) (1) The Department of Natural Resources and the Comptroller jointly shall
15 adopt regulations to carry out the provisions of this section.

16 (2) The regulations shall establish:

17 **(I) eligibility criteria and provide for the certification of businesses,**
18 **landfills, and nonprofit organizations to verify the amount of oyster shells recycled by each**
19 **individual or corporation; AND**

20 **(II) A PROCESS FOR THE SALE AND TRANSFER OF THE**
21 **VERIFICATION AUTHORIZED UNDER SUBSECTION (A)(3) OF THIS SECTION.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2015, and shall be applicable to all taxable years beginning after December 31, 2014.