

SENATE BILL 769

Q3, M1

(11r2836)

ENROLLED BILL

— Budget and Taxation / Ways and Means —

Introduced by **Senators Hester and Bailey**

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.

President.

CHAPTER _____

1 AN ACT concerning

2 **Income Tax Credit for Venison Donation – ~~Alterations, Extension,~~ Reporting**
3 **Requirement and Testing for Chronic Wasting Disease**

4 FOR the purpose of ~~altering the maximum amount of qualified expenses an individual may~~
5 ~~claim as a credit against the State income tax for a certain donation of processed~~
6 ~~deer meat; altering the maximum aggregate credit amount the individual may claim~~
7 ~~in a taxable year; extending the termination date of the tax credit; requiring certain~~
8 ~~venison donation programs to report certain information relating to the credit against~~
9 ~~the State income tax for donations of processed deer meat to the Comptroller on or~~
10 ~~before a certain date;~~ requiring the Department of Natural Resources to report to
11 certain committees of the General Assembly on or before a certain date on certain
12 testing; providing for the application of certain provisions of this Act; and generally
13 relating to an income tax credit for the donation of processed deer meat and testing
14 for chronic wasting disease.

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 BY repealing and reenacting, with amendments,
 2 Article – Tax – General
 3 Section 10–746
 4 Annotated Code of Maryland
 5 (2016 Replacement Volume and 2020 Supplement)

6 ~~BY repealing and reenacting, with amendments,~~
 7 ~~Chapter 172 of the Acts of the General Assembly of 2018~~
 8 ~~Section 3~~

9 ~~BY repealing and reenacting, with amendments,~~
 10 ~~Chapter 173 of the Acts of the General Assembly of 2018~~
 11 ~~Section 3~~

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

14 **Article – Tax – General**

15 10–746.

16 (a) In this section, “qualified expenses” means expenses incurred to butcher and
 17 process an antlerless ~~OR ANTLERED~~ deer for human consumption.

18 (b) Subject to the limitations of this section, an individual who hunts and harvests
 19 an antlerless ~~OR ANTLERED~~ deer may claim a credit against the State income tax for up
 20 to ~~[\$50]~~ ~~\$75~~ of the qualified expenses incurred by the individual if:

21 (1) the hunting and harvesting of the deer complies with State hunting
 22 laws and regulations; and

23 (2) the individual donates the processed deer meat to a venison donation
 24 program administered by an organization that is exempt from taxation under § 501(c)(3) of
 25 the Internal Revenue Code.

26 (c) (1) For any taxable year, the total amount of credits an individual may
 27 claim under this section may not exceed ~~[\$200]~~ ~~\$600~~, unless the individual harvested each
 28 deer for which the credits are claimed in accordance with a deer management permit.

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

31 (d) An individual who claims the credit under this section shall have the
 32 immunity from liability described under § 5–634 of the Courts and Judicial Proceedings
 33 Article for donated food.

1 (E) ON OR BEFORE JANUARY 31 EACH YEAR, EACH VENISON DONATION
 2 PROGRAM THAT ACCEPTS A DONATION UNDER THIS SECTION SHALL REPORT TO THE
 3 COMPTROLLER ON THE FOLLOWING FOR THE IMMEDIATELY PRECEDING TAXABLE
 4 YEAR:

5 (1) THE NAME AND HOME ADDRESS OF EACH DONOR WHO INTENDED
 6 TO CLAIM THE INCOME TAX CREDIT UNDER THIS SECTION; AND

7 (2) THE NUMBER OF DEER DONATED BY EACH DONOR WHO INTENDED
 8 TO CLAIM THE INCOME TAX CREDIT UNDER THIS SECTION.

9 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read~~
 10 ~~as follows:~~

11 ~~Chapter 172 of the Acts of 2018~~

12 ~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
 13 ~~1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017, but~~
 14 ~~before January 1, [2023] 2028. It shall remain effective for a period of [5] 10 years and, at~~
 15 ~~the end of June 30, [2023] 2028, this Act, with no further action required by the General~~
 16 ~~Assembly, shall be abrogated and of no further force and effect.~~

17 ~~Chapter 173 of the Acts of 2018~~

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 21 ~~the end of June 30, [2023] 2028, this Act, with no further action required by the General~~
 22 ~~Assembly, shall be abrogated and of no further force and effect.~~

23 SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That, on or before December 31,
 24 2021, the Department of Natural Resources shall report to the Senate Education, Health,
 25 and Environmental Affairs Committee and the House Environment and Transportation
 26 Committee, in accordance with § 2-1257 of the State Government Article, on the testing of
 27 deer brought to deer processors for chronic wasting disease.

28 SECTION ~~4.~~ 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
 29 be applicable to all taxable years beginning after December 31, 2020.

30 SECTION ~~5.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
 31 July 1, 2021.