

SENATE BILL 897

Q3

EMERGENCY BILL

4lr2076
CF HB 1064

By: Senators Carozza, Bailey, Folden, ~~and Mautz~~ Mautz, Benson, Corderman, Elfreth, Guzzone, Hettleman, Jackson, Jennings, King, McCray, Rosapepe, Salling, and Zucker

Introduced and read first time: February 2, 2024

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

2 **Income Tax Subtraction Modification – Death Benefits – Law Enforcement**
3 **Officers and Fire Fighters**

4 FOR the purpose of allowing a subtraction under the Maryland income tax for the payment
5 of certain death benefits to a surviving spouse or beneficiary of a deceased law
6 enforcement officer or fire fighter under certain circumstances; applying this Act
7 retroactively; and generally relating to a subtraction modification under the
8 Maryland income tax for law enforcement officer and fire fighter death benefits.

9 BY repealing and reenacting, without amendments,
10 Article – Tax – General
11 Section 10–207(a)
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Tax – General
16 Section 10–207(e–1)
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2023 Supplement)
19 (As enacted by Chapter 59 of the Acts of the General Assembly of 2021)

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.



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

3 **Article – Tax – General**

4 10–207.

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

8 (e–1) (1) In this subsection, “law enforcement officer” means a law enforcement
9 officer as defined in § 1–101 of the Public Safety Article or other sworn law enforcement
10 officer of the United States, a state, or a political subdivision of a state.

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

12 (I) a payment from a pension system to the surviving spouse or other
13 beneficiary of a law enforcement officer or fire fighter whose death arises out of or in the
14 course of employment as a law enforcement officer or fire fighter; AND

15 (II) **A PAYMENT OF A DEATH BENEFIT UNDER A COLLECTIVE**
16 **BARGAINING AGREEMENT FROM A COUNTY OR MUNICIPALITY IN THE STATE TO THE**
17 **SURVIVING SPOUSE OR OTHER BENEFICIARY OF A LAW ENFORCEMENT OFFICER OR**
18 **FIRE FIGHTER WHOSE DEATH ARISES OUT OF OR IN THE COURSE OF EMPLOYMENT**
19 **AS A LAW ENFORCEMENT OFFICER OR FIRE FIGHTER.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect July~~
21 ~~1, 2024, and~~ shall be applicable to all taxable years beginning after December 31, 2021.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health or safety, has
24 been passed by a ye and nay vote supported by three–fifths of all the members elected to
25 each of the two Houses of the General Assembly, and shall take effect from the date it is
26 enacted.