

HOUSE BILL 466

Q3
HB 511/21 – W&M

2lr1462

By: **Delegates Valentino–Smith, Bagnall, Bartlett, Carey, Howell, Landis, Lehman,
and Pena–Melnik**

Introduced and read first time: January 21, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Personal Exemption – Disabled Individuals**

3 FOR the purpose of authorizing certain disabled individuals to deduct a certain amount as
4 a personal exemption under the Maryland income tax under certain circumstances;
5 and generally relating to a deduction for personal exemptions under the Maryland
6 income tax.

7 BY repealing and reenacting, with amendments,
8 Article – Tax – General
9 Section 10–211
10 Annotated Code of Maryland
11 (2016 Replacement Volume and 2021 Supplement)

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 10–211.

16 (a) Subject to the provisions of this section, an individual may deduct an
17 exemption for:

18 (1) the taxpayer;

19 (2) the spouse of the taxpayer if:

20 (i) a joint return is not made by the taxpayer and the spouse; and

21 (ii) the spouse, for the calendar year in which the taxable year of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



taxpayer begins, has no gross income and is not a dependent of another taxpayer; and

(3) each individual who is a dependent, as defined in § 152 of the Internal Revenue Code, of the taxpayer for the taxable year.

(b) Except as provided in subsection (c) of this section, whether or not a federal return is filed, to determine Maryland taxable income, an individual other than a fiduciary may deduct as an exemption:

(1) \$3,200 for each exemption that the individual may deduct under subsection (a) of this section;

(2) an additional \$3,200 for each dependent, as defined in § 152 of the Internal Revenue Code, who is at least 65 years old on the last day of the taxable year;

(3) an additional \$1,000 if the individual, on the last day of the taxable year, is at least 65 years old; and

(4) an additional \$1,000 if the individual, on the last day of the taxable year:

(I) is a blind individual, as described in § 10–208(c) of this subtitle;
OR

(II) 1. HAS A PERMANENT PHYSICAL DISABILITY OTHER THAN BLINDNESS, AS DESCRIBED IN § 10–208(C) OF THIS SUBTITLE; AND

2. SUBMITS A LETTER FROM A QUALIFIED PHYSICIAN CERTIFYING:

A. THE NATURE OF THE DISABILITY;

B. THAT THE DISABILITY IS EXPECTED TO CONTINUE INDEFINITELY; AND

C. THAT THE INDIVIDUAL IS CAPABLE OF SUBSTANTIAL GAINFUL ACTIVITY.

(c) (1) If an individual other than one described in paragraph (2) of this subsection has federal adjusted gross income for the taxable year greater than \$100,000, the amount allowed for each exemption under subsection (b)(1) or (2) of this section is limited to:

(i) \$1,600 if federal adjusted gross income for the taxable year does not exceed \$125,000;

1 (ii) \$800 if federal adjusted gross income for the taxable year is
2 greater than \$125,000 but not greater than \$150,000; and

3 (iii) \$0 if federal adjusted gross income for the taxable year is greater
4 than \$150,000.

5 (2) If a married couple filing a joint return or an individual described in §
6 2 of the Internal Revenue Code as a head of household or as a surviving spouse has federal
7 adjusted gross income for the taxable year greater than \$150,000, the amount allowed for
8 each exemption under subsection (b)(1) or (2) of this section is limited to:

9 (i) \$1,600 if federal adjusted gross income for the taxable year does
10 not exceed \$175,000;

11 (ii) \$800 if federal adjusted gross income for the taxable year is
12 greater than \$175,000 but not greater than \$200,000; and

13 (iii) \$0 if federal adjusted gross income for the taxable year is greater
14 than \$200,000.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2022, and shall be applicable to all taxable years beginning after December 31, 2021.