

CHAPTER 146.

(Senate Bill 23)

AN ACT to repeal and re-enact, with amendments, Section 248 of Article 81 of the Annotated Code of Maryland (1939 Edition), title "Revenue and Taxes", sub-title "Income Tax", as said section was amended by Chapter 269 of 1945, relating to refunds.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That Section 248 of Article 81 of the Annotated Code of Maryland (1939 Edition), title "Revenue and Taxes", sub-title "Income Tax", as said section was amended by Chapter 269 of 1945, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

248. (Refunds.) In the event any person pays more tax than is found to have been due, the Comptroller shall refund the overpayment in the same manner as other refunds are made, except to the extent herein provided.

In the case of a contract or contracts with the United States or any agency thereof, or any subcontract or sub-contracts thereunder, made by a taxpayer, if a re-negotiation is made in respect thereto and an amount of excessive profits received or accrued thereunder for a taxable year (hereinafter referred to as "prior taxable year") is eliminated and, in a taxable year thereafter the taxpayer is required to pay or repay to the United States or any agency thereof the amount of excessive profits eliminated or the amount of excessive profits eliminated is applied as an offset against other amounts due the taxpayer, then for the purposes of this sub-title the part of the contract or sub-contract price or prices which was or were received or accrued for the prior taxable year shall be considered as having been reduced by the amount of excessive profits eliminated and the taxpayer shall be entitled to receive from the Comptroller a refund of the difference between the tax paid for such prior taxable year and the tax which he would have paid had he received in or accrued for such prior taxable year such reduced contract or sub-contract price or prices. All such refunds shall be made in the same manner as other refunds are made. Any claim for a refund shall be in such form, verified in such manner, contain such information, and be supported by such documents as may be prescribed by regulations of the Comptroller and shall be filed within three years from the date the return was due to be filed, otherwise such claim shall be barred and in no event shall the Comp-