

WHEREAS, it is the belief of the General Assembly that fundamental concepts of fairness and equality require that the protesting taxpayers be accorded the same tax treatment as those taxpayers who have paid taxes upon stock in business without protest, to the end that no undue advantage will accrue to the protesting taxpayers who had not paid their taxes at the time of the filing and publication of the Sears Roebuck decision on or about November 22, 1957; ~~therefore~~; AND

WHEREAS, IT IS THE INTENT OF THE GENERAL ASSEMBLY OF MARYLAND TO EFFECTUATE THE POLICY OF THE STATE TAX COMMISSION AND OF OTHER TAXING AUTHORITIES OF THIS STATE AS IT EXISTED PRIOR TO THE DECISION IN THE SEARS CASE, THIS POLICY BEING TO ALLOW FOR INFLATIONARY FACTORS IN THE ASSESSMENT OF REAL ESTATE BUT NOT TO ALLOW FOR SUCH INFLATIONARY FACTORS IN THE ASSESSMENT OF PERSONAL PROPERTY; NOW THEREFORE

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That, effective as of January 1, 1957, Section 5 6 of Article 81 of the Annotated Code of Maryland (~~1951~~ 1957 Ed.), title "Revenue and Taxes", sub-title "Classification of Taxes", be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

~~5.~~ 6. The taxes imposed by this Article shall be divided into (1) ordinary taxes, and (2) special taxes. Direct taxes imposed in respect of real or personal property shall be ordinary taxes; *provided, however, that real and personal property shall be separately classified, and personal property separately sub-classified for assessment purposes.* Special taxes shall include:

- (a) Tax on deposits of savings banks.
- (b) Gross receipts tax.
- (c) Tax on commissions of executors and administrators.
- (d) Inheritance tax.
- (e) Bonus tax on corporations.
- (f) Tax on franchise to be a corporation.
- (g) Franchise tax on foreign corporations.
- (h) Income Tax.

SEC. 2. *And be it further enacted,* That, effective as of January 1, 1957, Section ~~13~~ 14 of Article 81 of the Annotated Code of Maryland (1957 ~~Supp.~~ EDITION) title "Revenue and Taxes", sub-title "Method of Assessment", be and the same is hereby repealed and that a new Section, with three sub-sections, be and it is hereby enacted in lieu thereof, said new Section and sub-sections to be known as Section 13, sub-sections (a), (b) and (c) to follow immediately after Section 12 of said Article, and to read as follows: TION 14 BE AND THE SAME IS HEREBY ENACTED IN LIEU THEREOF, TO STAND IN THE PLACE OF THE SECTION SO REPEALED AND TO READ AS FOLLOWS: