

title "Revenue and Taxes", sub-title "Retail Sales Tax Act", sub-heading "Refunds", and to repeal and re-enact, with amendments, Section 374 of Article 81 of the Annotated Code of Maryland (1957 Edition), title "Revenue and Taxes", sub-title "Maryland Use Tax", sub-heading "In General", correcting errors in the ~~rules~~ SALES and use tax laws relating to applications for refund and the computation of use tax, respectively.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 348 of Article 81 of the Annotated Code of Maryland (1957 Edition), title "Revenue and Taxes", sub-title "Retail Sales Tax Act", sub-heading "Refunds", be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

348.

Whenever any vendor has refunded a tax paid by a purchaser, as provided in Section 347 of this sub-title, or whenever any taxpayer has erroneously, illegally or unconstitutionally paid the tax imposed by this sub-title, except pursuant to an assessment made under Sections 344, 345 or 346 and except to final determinations under Sections 351 or 352 of this sub-title, the Comptroller shall refund such tax if application therefor shall be made in writing within three years from the payment of the tax stating the ground or grounds for refund. Such application may be made by the person upon whom the tax was imposed or by any vendor who collected and paid such tax to the Comptroller if the vendor establishes to the satisfaction of the Comptroller, under such regulations as he may prescribe, that the tax was paid on a sale which had been rescinded or cancelled or was erroneously, illegally or unconstitutionally collected. The Comptroller may, in lieu of any refund required to be made by this section, allow credit therefor on subsequent payments due from the applicant.

SEC. 2. *And be it further enacted,* That Section 374 of Article 81 of the Annotated Code of Maryland (1957 Edition), title "Revenue and Taxes", sub-title "Maryland Use Tax", sub-heading "In General", be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

374.

Any person who uses tangible personal property which has been manufactured, fabricated or assembled by him from raw materials and/or component parts, either within or without this State, shall be required to pay the tax on such property as computed in [sub-sections 373 (a) and 373 (b).] *Section 373*, measured by his purchase price of the raw materials and/or component parts contained in such tangible personal property.

SEC. 3. *And be it further enacted,* That this Act shall take effect June 1, 1963.

Approved April 17, 1963.