

paid. Provided, however, that for all calendar years beginning after December 31, 1969, and thereafter the Comptroller shall, prior to the last day of the State fiscal year, pay over and distribute to the appropriate local fiscal authority of the counties of this State and to Baltimore City the respective amounts to which they may be estimated to become entitled under the provisions of this section which have been received in the form of withholding taxes paid on a monthly basis for the months of April and May in accordance with § 312(h)(2) of this subtitle.

In determining each subdivision's prorated share of the cost of administering this subtitle, the Comptroller shall apportion the cost of operating the Income Tax Division in the ratio which the collections of each political subdivision and the State bear to the total collections under this subtitle.

323.

(a) [For the fiscal year 1968 and all fiscal years] COMMENCING WITH JULY 1, 1973, AND thereafter, the Comptroller shall certify [to each county] the amount of net taxable income of the residents of each incorporated municipality (including special taxing areas treated as incorporated municipalities) and [such counties] shall pay FROM THE TAX COLLECTED IN ACCORDANCE WITH § 283(A) AND AS PROVIDED BY § 283(C) OF THIS ARTICLE to such incorporated municipality or special taxing area an amount equivalent to .37 percent of the net taxable income of the residents of such incorporated municipality or special taxing area, except that the same shall not be certified by the Comptroller nor paid by the county to any incorporated municipality or special taxing area which has not levied, or if the same shall not be levied for it, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita of revenue and it shall have certified a copy of said levy to the State Comptroller. Per capita revenue shall be computed for purposes of this section by using the population figures furnished by the latest federal census or by an official local census, whichever is latest. [The obligation of each county to make these payments is mandatory and does not depend upon the levying of a local income tax pursuant to § 283 of this article. Notwithstanding the option granted to the counties and Baltimore City pursuant to § 283 hereof, each county and Baltimore City shall levy, for the calendar year 1967, a local income tax in an amount not less than twenty (20) percent of the State income tax liability before application of the credit provided in § 288 (f) of each taxpayer, resident in that county or Baltimore City. In the event such levy produces for any subdivision an amount less than would have been realized by a return of 0.68 percent of all ordinary income and 1.7 percent of all income previously taxable as investment income, as estimated by the Comptroller, the Comptroller shall pay such difference to the subdivision.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 7, 1973.

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