

BY repealing and reenacting, with amendments,

Article 81 - Revenue and Taxes  
 Section 312(f)  
 Annotated Code of Maryland  
 (1975 Replacement Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 81 - Revenue and Taxes

312.

(f) (1) Every individual upon whose salary, wages or compensation such a tax is to be imposed shall file with his employer at the time of his employment [(or during the month of June, 1955, if then employed)] a signed exemption certificate on a form to be provided by the Comptroller of the treasury for that purpose, indicating the number of exemptions to which he is entitled under the provisions of this subtitle. EACH INDIVIDUAL REQUIRED TO FILE SUCH A CERTIFICATE, WHO WILLFULLY SUPPLIES FALSE OR FRAUDULENT INFORMATION, OR WHO WILLFULLY FAILS TO SUPPLY INFORMATION THEREUNDER, AS A RESULT OF WHICH THE AMOUNT OF TAX REQUIRED TO BE WITHHELD UNDER THIS SECTION IS DECREASED, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH. IF AN INDIVIDUAL FAILS TO FILE A WITHHOLDING EXEMPTION CERTIFICATE, THE EMPLOYER SHALL COMPUTE THE WITHHOLDING IN ACCORDANCE WITH THE TABLES PROVIDED BY THE COMPTROLLER OF THE TREASURY ON THE BASIS OF ONE EXEMPTION.

(2) IF AN EMPLOYEE PROVIDES HIS EMPLOYER WITH A WITHHOLDING CERTIFICATE WHICH DOES NOT CONTAIN THE INFORMATION THAT IS REQUIRED THEREON OR CONTAINS FALSE OR FRAUDULENT INFORMATION, THE CERTIFICATE PROVIDED SHALL BE DEEMED TO BE INVALID. IF AN EMPLOYER RECEIVES AN INVALID WITHHOLDING EXEMPTION CERTIFICATE, IT SHALL BE CONSIDERED A NULLITY FOR PURPOSES OF COMPUTING WITHHOLDING AND SUCH EMPLOYER SHALL WITHHOLD FROM THE EMPLOYEE AS FROM A SINGLE PERSON CLAIMING NO EXEMPTIONS. PROVIDED THAT THE FILING OF A WITHHOLDING CERTIFICATE IS NOT CONSIDERED AN INVALID, FALSE OR FRAUDULENT STATEMENT WITHIN THE MEANING OF THIS SUBSECTION, IF IT CLAIMS EITHER:

(I) LESS EXEMPTIONS THAN THOSE TO WHICH A TAXPAYER IS ACTUALLY ENTITLED; OR

(II) AN ADDITIONAL EXEMPTION FOR EACH \$800 OF ITEMIZED DEDUCTIONS CLAIMED ON THE PRIOR YEAR STATE INCOME TAX RETURN.

(3) ANY PERSON WHO WILLFULLY FAILS TO PROVIDE HIS EMPLOYER WITH A VALID WITHHOLDING CERTIFICATE OR