

Annotated Code of Maryland
(1983 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 62A - Maryland Estate Tax

3.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE "Maryland estate tax" shall be payable 15 months after date of death of the "decedent" and shall bear interest thereon at the rate determined under § 204 of Article 81 of the Code from the due date to the date of payment.

(B) (1) NOTWITHSTANDING THE PROVISIONS OF THIS ARTICLE, THE COMPTROLLER MAY GRANT AN ALTERNATIVE PAYMENT SCHEDULE FOR THE TAX IMPOSED UNDER § 2 OF THIS ARTICLE.

(2) THE PAYMENT SCHEDULE MAY BE IN THE FORM OF:

(I) A PAYMENT DEFERRAL; OR

(II) AN INSTALLMENT PAYMENT PLAN.

(3) IN GRANTING AN ALTERNATIVE PAYMENT SCHEDULE UNDER SUBSECTION (B)(1) OF THIS SECTION, THE COMPTROLLER SHALL SPECIFY, ON A CASE-BY-CASE BASIS, THE PROCEDURES AND GUIDELINES FOR THE PAYMENT SCHEDULE, INCLUDING:

(I) THE CONDITIONS OF ELIGIBILITY FOR ALTERNATIVE PAYMENT;

(II) THE AMOUNT AND DURATION OF ANY PAYMENT DEFERRAL; AND

(III) THE AMOUNT OF AND SCHEDULED TIME FOR INSTALLMENT PAYMENTS.

(4) ON A DENIAL BY THE COMPTROLLER OF A REQUESTED ALTERNATIVE PAYMENT SCHEDULE FOR THE TAX IMPOSED UNDER § 2 OF THIS ARTICLE, THE APPLICANT MAY APPEAL THE DECISION OF THE COMPTROLLER TO THE MARYLAND TAX COURT WITHIN 30 DAYS FROM THE DATE OF MAILING OF THE DENIAL NOTICE.

(5) AN ALTERNATIVE PAYMENT SCHEDULE FOR THE MARYLAND ESTATE TAX IMPOSED UNDER § 2 OF THIS ARTICLE IS AVAILABLE UNDER THIS SUBSECTION NOTWITHSTANDING THE AVAILABILITY OF A PAYMENT EXTENSION OF THE FEDERAL ESTATE TAX UNDER § 6166 OF THE INTERNAL REVENUE CODE.

(C) NOTWITHSTANDING THE GRANTING OF AN ALTERNATIVE PAYMENT SCHEDULE UNDER SUBSECTION (B) OF THIS SECTION, BEGINNING 15