

Article 88A - Social Services Administration

56.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "BUSINESS ENTITY" MEANS A PERSON CONDUCTING OR OPERATING A TRADE OR BUSINESS IN MARYLAND.

(3) "QUALIFIED CHILD CARE EXPENSES" MEANS STATE REGULATED CHILD CARE EXPENSES THAT ARE INCURRED BY A BUSINESS ENTITY TO ENABLE A QUALIFIED EMPLOYMENT OPPORTUNITY EMPLOYEE OF THE BUSINESS TO BE GAINFULLY EMPLOYED.

(4) (I) "QUALIFIED EMPLOYMENT OPPORTUNITY EMPLOYEE" MEANS AN INDIVIDUAL WHO IS A RESIDENT OF MARYLAND AND WHO IMMEDIATELY BEFORE FOR SIX MONTHS BEFORE THE INDIVIDUAL'S EMPLOYMENT WITH A BUSINESS ENTITY WAS A MARYLAND RESIDENT AND A RECIPIENT OF BENEFITS FROM THE STATE UNDER:

1. ~~A GENERAL ASSISTANCE PROGRAM, WITHIN THE MEANING OF § 51(D)(6) OF THE INTERNAL REVENUE CODE;~~

2. THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM, ~~OR~~

3. ~~THE STATE'S DISABILITY ASSISTANCE LOAN PROGRAM.~~

(II) "QUALIFIED EMPLOYMENT OPPORTUNITY EMPLOYEE" DOES NOT INCLUDE AN INDIVIDUAL WHO IS THE SPOUSE OF, OR HAS ANY OF THE RELATIONSHIPS SPECIFIED IN § 152(A)(1) THROUGH (8) OF THE INTERNAL REVENUE CODE TO, A PERSON WHO CONTROLS, DIRECTLY OR INDIRECTLY, MORE THAN ~~50%~~ 25% 50% OF THE OWNERSHIP OF THE BUSINESS ENTITY.

(5) "WAGES" MEANS WAGES, WITHIN THE MEANING OF § 51(C)(1), (2), AND (3) OF THE INTERNAL REVENUE CODE WITHOUT REGARD TO § 51(C)(4) OF THE INTERNAL REVENUE CODE, THAT ARE PAID BY A BUSINESS ENTITY TO AN EMPLOYEE FOR SERVICES PERFORMED IN A TRADE OR BUSINESS OF THE EMPLOYER.

(B) (1) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A BUSINESS ENTITY MAY CLAIM A TAX CREDIT AGAINST THE STATE INCOME TAX IN THE AMOUNTS DETERMINED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION FOR THE WAGES AND QUALIFIED CHILD CARE EXPENSES WITH RESPECT TO A QUALIFIED EMPLOYMENT OPPORTUNITY EMPLOYEE THAT ARE PAID IN THE TAXABLE YEAR FOR WHICH THE BUSINESS ENTITY CLAIMS THE CREDIT.

(2) THE SAME TAX CREDIT CANNOT BE APPLIED MORE THAN ONCE AGAINST DIFFERENT TAXES BY THE SAME TAXPAYER.