

\$250 INSTEAD OF A QUARTERLY INCOME TAX WITHHOLDING RETURN THE PERSON SHALL COMPLETE AND FILE WITH THE COMPTROLLER AN ANNUAL INCOME TAX WITHHOLDING RETURN ON OR BEFORE JANUARY 31 THAT FOLLOWS THAT CALENDAR YEAR.

(b) A person required to file a quarterly or monthly income tax withholding return shall continue to file returns, whether or not the person is withholding any income tax, until the person gives the Comptroller written notice that the person no longer has employees or no longer is liable to file the return.

(c) A person who files a written request to change to a quarterly return filing because the person withholds less than [\$400] \$700 each quarter may be allowed to change to a quarterly basis at the beginning of the calendar year after the request.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997 and shall be applicable to all calendar years beginning after December 31, 1997.

Approved May 8, 1997.

CHAPTER 405

(House Bill 157)

AN ACT concerning

Income Tax – Income Tax Return Preparer – False Return or False Claim for Refund

FOR the purpose of holding certain tax preparers criminally liable for preparing an income tax return or assisting in the preparation of a false claim for refund with fraudulent intent; and generally relating to the Maryland income tax law.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13-1004

Annotated Code of Maryland

(1988 Volume and 1996 Supplement)

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

Article – Tax – General

13-1004.

An income tax return preparer who willfully prepares, assists in preparing, or causes the preparation [for another person] of a false income tax return or claim for refund with FRAUDULENT INTENT OR the intent to evade income tax is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 5 years or both.