

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1997.

Approved May 8, 1997.

CHAPTER 406

(House Bill 159)

AN ACT concerning

Taxes – Procedure – Payment of Taxes in Immediately Available Funds

FOR the purpose of authorizing the Comptroller to require certain persons to make tax payments in immediately available funds; providing for assessment of interest and penalty against certain persons required to make payments in immediately available funds; and generally relating to the payment of taxes in immediately available funds.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13-104

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

13-104.

(a) (1) Subject to the approval of the Treasurer and subject to the limitation under paragraph (2) of this subsection, the Comptroller or the Department may provide by regulation for the payment of any unpaid tax liability in connection with a tax return, report, or other document required to be filed with the Comptroller or the Department in funds that are immediately available to the State on the date the payment is due.

(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE Comptroller or the Department may not require payment in funds that are immediately available to the State if the unpaid tax liability in connection with a tax return, report, or other document is less than \$20,000.

(3) // THE COMPTROLLER MAY REQUIRE A PERSON WHO IS AN AGENT OF THE PAYOR OR EMPLOYER AS DEFINED IN § 10-905 OF THIS ARTICLE TO MAKE PAYMENTS IN IMMEDIATELY AVAILABLE FUNDS ON THE DATE THE PAYMENT IS DUE BY THE EMPLOYER OR PAYOR IF THE TOTAL AMOUNT OF THE PAYMENTS TO BE MADE BY THE AGENT FOR ANY PAY PERIOD EXCEEDS \$20,000 IN THE AGGREGATE.