

FOR the purpose of adopting a certain Streamlined Sales and Use Tax Agreement, subject to a certain contingency; requiring the Comptroller under certain circumstances to prepare and submit certain proposed regulations and draft legislation regarding changes to the State's laws, regulations, or policies needed to bring the State into compliance with the Agreement and certain other changes recommended by the Comptroller; and generally relating to the contingent adoption by the State of the Streamlined Sales and Use Tax Agreement.

BY repealing and reenacting, with amendments,

Article - Tax - General

Section 11-106

Annotated Code of Maryland

(1997 Replacement Volume and 2003 Supplement)

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

Article - Tax - General

11-106.

(a) In this section, "Agreement" means the Streamlined Sales and Use Tax Agreement as adopted by the member states of the Streamlined Sales and Use Tax Project on November 12, 2002.

(b) (1) [The] SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE State of Maryland hereby [acknowledges] ADOPTS the Streamlined Sales and Use Tax Agreement as adopted by the member states of the Streamlined Sales and Use Tax Project on November 12, 2002.

(2) THE ADOPTION OF THE AGREEMENT BY THE STATE OF MARYLAND AS PROVIDED IN THIS SECTION IS CONTINGENT ON THE ENACTMENT OF LEGISLATION BY THE U.S. CONGRESS CONSENTING TO THE AGREEMENT AND AUTHORIZING STATES THAT ARE PARTIES TO THE AGREEMENT TO REQUIRE REMOTE SELLERS TO COLLECT AND REMIT THE SALES AND USE TAXES OF THOSE STATES.

[(2)](3) [On or before November 15, 2003] WITHIN 90 DAYS AFTER THE ENACTMENT OF LEGISLATION BY THE U.S. CONGRESS CONSENTING TO THE AGREEMENT AND AUTHORIZING STATES THAT ARE PARTIES TO THE AGREEMENT TO REQUIRE REMOTE SELLERS TO COLLECT AND REMIT THE SALES AND USE TAXES OF THOSE STATES, the Comptroller shall prepare and submit to the Governor and, subject to § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Committee on Ways and Means [a report] PROPOSED REGULATIONS AND DRAFT LEGISLATION that:

(i) [identifies] IDENTIFY AND IMPLEMENT:

1. any changes to State statutes, regulations, or policies that need to be made in order to bring the State into compliance with the Agreement; and