

- (6) a partnership, as defined in § 761 of the Internal Revenue Code; [or]
- (7) Except as provided in § 10-304(3) of this title, an S corporation; OR

(8) EXCEPT AS PROVIDED IN § 10-304(4) OF THIS TITLE, AN INVESTMENT CONDUIT OR A SPECIAL EXEMPT ENTITY.

10-203.

Except as provided in Subtitle 4 of this title, the Maryland adjusted gross income of an individual is:

- (1) the individual's federal adjusted gross income for the taxable year as[:
- (1)] determined under the Internal Revenue Code[; and
- (2)] AND adjusted under this Part II of this subtitle; OR

(2) IF THE INDIVIDUAL IS A FIDUCIARY EXEMPT FROM TAXATION UNDER § 408(E)(1) OR § 501 OF THE INTERNAL REVENUE CODE, THE FIDUCIARY'S UNRELATED BUSINESS TAXABLE INCOME FOR THE TAXABLE YEAR AS DEFINED UNDER § 512 OF THE INTERNAL REVENUE CODE, AS ADJUSTED UNDER THIS PART II OF THIS SUBTITLE.

10-304.

Except as provided in Subtitle 4 of this title, the Maryland modified income of a corporation, including a real estate investment trust or regulated investment company, is:

(1) the corporation's federal taxable income for the taxable year as determined under the Internal Revenue Code and as adjusted under this Part II of this subtitle;

(2) if the corporation is exempt from taxation under § 501 of the Internal Revenue Code, THE SUM FOR THE TAXABLE YEAR OF the corporation's unrelated business taxable income, as defined under § 512 of the Internal Revenue Code, ~~for the taxable year~~ AND ITS INCOME THAT IS SUBJECT TO TAX UNDER § 527(F)(1) OF THE INTERNAL REVENUE CODE, as adjusted under this Part II of this subtitle; [or]

(3) if the corporation is an S corporation, its income that is subject to federal income tax, for the taxable year, as adjusted under this Part II of this subtitle; OR

(4) IF THE CORPORATION IS AN INVESTMENT CONDUIT OR A SPECIAL EXEMPT ENTITY, THE APPLICABLE TAX BASE OF THE CORPORATION AS ADJUSTED UNDER THIS PART II OF THIS SUBTITLE.

10-308.

(a) In addition to the modification under § 10-307 of this subtitle, the amounts under this section are subtracted from the federal taxable income of a corporation to determine Maryland modified income.