

THIS SECTION AGAINST STATE INCOME TAX DUE ON UNRELATED BUSINESS TAXABLE INCOME AS PROVIDED UNDER §§ 10-304 AND 10-812 OF THIS TITLE.

(D) (1) IF THE EMPLOYER IS SUBJECT TO MORE THAN ONE TAX AGAINST WHICH THE CREDIT ALLOWED UNDER THIS SECTION MAY BE APPLIED, THE SAME CREDIT MAY NOT BE APPLIED MORE THAN ONCE AGAINST DIFFERENT TAXES.

(2) IF THE CREDIT ALLOWED UNDER THIS SUBSECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE EMPLOYER FOR THAT TAXABLE YEAR, THE EMPLOYER MAY APPLY THE EXCESS AS A CREDIT FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:

(I) THE FULL AMOUNT OF THE EXCESS IS USED; OR

(II) THE EXPIRATION OF THE 5TH TAXABLE YEAR AFTER THE TAXABLE YEAR IN WHICH THE COSTS TO PROVIDE LONG-TERM CARE INSURANCE AS PART OF AN EMPLOYEE BENEFIT PACKAGE WERE INCURRED.

Article - Insurance

6-117.

AN INSURER MAY CLAIM A CREDIT AGAINST THE PREMIUM TAX FOR EMPLOYER-PROVIDED LONG-TERM CARE INSURANCE AS PROVIDED UNDER § 10-709 OF THE TAX - GENERAL ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2001, the Department of Health and Mental Hygiene shall submit a report to the Governor, and, subject to § 2-1246 of the State Government Article, to the General Assembly on efforts taken by the Department to educate the public on the importance of individual long-term care planning and the effectiveness of the tax credit program established under this Act in increasing the sales of long-term care insurance policies in Maryland, including an analysis of employers having taken advantage of this tax credit program, a profile of the employees covered by employer-provided long-term care insurance policies, the impact of this tax credit program on State revenues, and any other information that the Department considers relevant in evaluating the effectiveness of this tax credit program. In addition, the Department shall conduct a study of alternative incentives that might directly encourage individuals to purchase long-term care insurance, and shall report on the results of its findings to the House Committee on Ways and Means and the Senate Budget and Taxation Committee by December 1, 2000.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1, 1998~~ July 1, 1998 and shall be applicable to all taxable years beginning after December 31, 1998.

Approved April 14, 1998.