

HB1532/693028/1

BY: Delegate Hornberger

AMENDMENTS TO HOUSE BILL 1532, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Environment and Transportation Committee Amendments (HB1532/823929/1), in line 15 of Amendment No. 1, after “auctions:” insert “providing an exemption from the sales and use tax for certain construction material or construction equipment used in the construction or maintenance of a battery energy storage system;”.

On page 6 of the Environment and Transportation Committee Amendments, after line 16 of Amendment No. 1 insert:

“BY adding to
Article - Tax - General
Section 11-247
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 105 of the Environment and Transportation Committee Amendments, after line 10 of Amendment No. 2 insert:

“Article – Tax – General

11-247.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “CONSTRUCTION MATERIAL” MEANS AN ITEM OF TANGIBLE PERSONAL PROPERTY THAT IS USED TO CONSTRUCT, RENOVATE, OR MAINTAIN A BUILDING, A STRUCTURE, OR AN IMPROVEMENT ON LAND AND THAT TYPICALLY LOSES ITS SEPARATE IDENTITY AS PERSONAL PROPERTY ONCE INCORPORATED INTO THE REAL PROPERTY.

(II) “CONSTRUCTION MATERIAL” INCLUDES BUILDING MATERIALS, BUILDING SYSTEMS EQUIPMENT, LANDSCAPING MATERIALS, AND SUPPLIES.

(3) “CONSTRUCTION EQUIPMENT” MEANS EQUIPMENT THAT IS USED OR INTENDED FOR USE IN THE CONSTRUCTION, RENOVATION, OR MAINTENANCE OF A BUILDING, A STRUCTURE, OR AN IMPROVEMENT ON LAND.

(B) THE SALES AND USE TAX DOES NOT APPLY TO A SALE OF CONSTRUCTION MATERIAL OR CONSTRUCTION EQUIPMENT, IF:

(1) THE MATERIAL OR EQUIPMENT IS PURCHASED BY A PERSON SOLELY FOR USE IN THE CONSTRUCTION OR MAINTENANCE OF A BATTERY ENERGY STORAGE SYSTEM; AND

(2) THE BUYER PROVIDES THE VENDOR WITH EVIDENCE OF ELIGIBILITY FOR THE EXEMPTION ISSUED BY THE COMPTROLLER.”.