

# SENATE BILL 324

Q3

3lr2049  
CF HB 486

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By: **Senator Rosapepe**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Income Tax Credit for~~ **Task Force to Study Nonpublic Student Bus**  
3 **Transportation Expenses**

4 FOR the purpose of ~~providing a refundable credit against the State income tax for certain~~  
5 establishing the Task Force to Study Nonpublic Student Bus Transportation to study  
6 and make recommendations concerning certain nonpublic student bus  
7 transportation matters ~~expenses paid by a certain individual during the taxable~~  
8 ~~year; and generally relating to an income tax credit for student transportation~~  
9 expenses the Task Force to Study Nonpublic Student Bus Transportation.

10 ~~BY adding to~~  
11 ~~Article Tax General~~  
12 ~~Section 10-757~~  
13 ~~Annotated Code of Maryland~~  
14 ~~(2022 Replacement Volume)~~

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

17 (a) There is a Task Force to Study Nonpublic Student Bus Transportation.

18 (b) The Task Force consists of the following members:

19 (1) two members of the Senate of Maryland, appointed by the President of  
20 the Senate;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           (2)   two members of the House of Delegates, appointed by the Speaker of  
2 the House;

3           (3)   the Director of the Office of Pupil Transportation and Emergency  
4 Management within the State Department of Education, or the Director's designee;

5           (4)   the Director of the Office of Grants Administration and Compliance  
6 within the State Department of Education, or the Director's designee;

7           (5)   the Secretary of Transportation, or the Secretary's designee;

8           (6)   one representative from each of the following school systems,  
9 designated by the Maryland Association of Boards of Education:

10           (i)   the Baltimore City public school system;

11           (ii)   the Baltimore County public school system; and

12           (iii)   the Montgomery County public school system;

13           (7)   one representative of school bus drivers, designated by the State  
14 Department of Education, in consultation with the Maryland School Bus Contractors  
15 Association, Amalgamated Transit Union Local 689, Amalgamated Transit Union Local  
16 1300, Amalgamated Transit Union Local 1777, and any other organizations representing  
17 bus drivers;

18           (8)   two representatives from associations representing nonpublic schools:

19           (i)   one appointed by the Speaker of the House; and

20           (ii)   one appointed by the President of the Senate; and

21           (9)   the following individuals, designated by the State Department of  
22 Education, in consultation with the Association of Independent Schools:

23           (i)   one school administrator of a religious nonpublic school; and

24           (ii)   one school administrator of a nonsectarian nonpublic school.

25           (c)   The Director of the Office of Pupil Transportation and Emergency  
26 Management within the State Department of Education, or the Director's designee, shall  
27 chair the Task Force.

28           (d)   The State Department of Education shall provide staff for the Task Force.

29           (e)   A member of the Task Force:

1           (1)   may not receive compensation as a member of the Task Force; but

2           (2)   is entitled to reimbursement for expenses under the Standard State  
3 Travel Regulations, as provided in the State budget.

4           (f)   The Task Force shall:

5           (1)   collect information from each local board of education and any other  
6 relevant county department regarding nonpublic school student busing programs in the  
7 county, other than programs for the transportation of students in special education  
8 placements, including:

9                   (i)   the status of the county program;

10                   (ii)   a description of the program, including administrative location;

11                   (iii)   the number and percentage of the county's nonpublic students  
12 served by the program; and

13                   (iv)   the funding amount of the program and its source;

14           (2)   evaluate the impact on State revenues and expenditures, traffic  
15 congestion, and environmental and safety goals of the adoption of programs used in other  
16 states to provide transportation to nonpublic school students or otherwise reduce the use  
17 of passenger vehicles for the transportation of nonpublic school students, including:

18                   (i)   through consultation with the Comptroller, a credit against the  
19 State income tax for student bus transportation expenses or other financial support;

20                   (ii)   utilizing public school buses during off hours;

21                   (iii)   transporting nonpublic school students in buses along with  
22 public school students; and

23                   (iv)   transporting nonpublic school students in separate buses; and

24           (3)   make recommendations regarding methods by which the State may  
25 support the reduction in use of passenger vehicles for the transportation of nonpublic school  
26 students and policies for busing programs for the transportation of nonpublic school  
27 students.

28           (g)   On or before December 15, 2023, the Task Force shall report its findings and  
29 recommendations, in accordance with § 2-1257 of the State Government Article, to the  
30 Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and  
31 the Environment, the House Appropriations Committee, and the House Ways and Means  
32 Committee.

~~Article Tax General~~~~10-757.~~

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

~~(2) "QUALIFIED BUS TRANSPORTATION EXPENSES" MEANS EXPENSES PAID TO A SCHOOL OR SCHOOL SYSTEM FOR THE DAILY BUS TRANSPORTATION OF A SCHOOL STUDENT TO OR FROM A SCHOOL.~~

~~(3) "SCHOOL" MEANS A PUBLIC OR NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL IN THE STATE THAT PARTICIPATES IN THE NONPUBLIC SCHOOLS TEXTBOOK AND TECHNOLOGY GRANTS PROGRAM.~~

~~(B) (1) AN INDIVIDUAL RESIDENT WHO IS THE PARENT OR GUARDIAN OF A SCHOOL STUDENT MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO THE QUALIFIED BUS TRANSPORTATION EXPENSES PAID OR INCURRED BY THE RESIDENT DURING THE TAXABLE YEAR ON BEHALF OF THE SCHOOL STUDENT.~~

~~(2) THE TAX CREDIT UNDER THIS SECTION MAY NOT EXCEED \$1,500 PER SCHOOL STUDENT.~~

~~(C) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, THE RESIDENT MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023, and shall be applicable to all taxable years beginning after December 31, 2022. It shall remain effective for a period of 1 year and, at the end of June 30, 2024, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.