

## Chapter 461

(Senate Bill 398)

AN ACT concerning

### **Sales and Use Tax – Sale of Electricity Generated by Solar Energy and Residential Wind Energy Equipment – Exemption**

FOR the purpose of providing an exemption from the sales and use tax for the sale of electricity generated by certain solar energy equipment or certain residential wind energy equipment for certain purposes; and generally relating to a sales and use tax exemption for the sale of certain electricity.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

#### **Article – Tax – General**

11–207.

(a) The sales and use tax does not apply to:

(1) a sale of electricity, steam, or artificial or natural gas for use in residential condominiums;

(2) a sale of electricity, steam, or artificial or natural gas that is delivered under a residential or domestic rate schedule on file with the Public Service Commission;

(3) a sale of coal, firewood, heating oil, or propane gas or similar liquefied gas for use in residential property that contains not more than 4 units, cooperative housing, condominiums, or other similar residential living arrangements;  
[or]

(4) a sale of electricity through 3 or more bulk meters for use in a nonprofit planned retirement community of more than 2,000 housing cooperative or condominium units if:

- (i) ownership of units is restricted by age;
- (ii) any unit is served by an individual meter; and
- (iii) on or before July 1, 1979, at least 3 bulk meters served the community; OR

**(5) A SALE OF ELECTRICITY GENERATED BY SOLAR ENERGY EQUIPMENT OR RESIDENTIAL WIND ENERGY EQUIPMENT, AS DEFINED UNDER § 11-230 OF THIS SUBTITLE, FOR USE IN RESIDENTIAL PROPERTY ~~OR FOR SUPPLY TO THE ELECTRIC GRID~~ OWNED BY AN ELIGIBLE CUSTOMER-GENERATOR UNDER § 7-306 OF THE PUBLIC UTILITIES ARTICLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

**Approved by the Governor, May 19, 2011.**