



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1993

S.P. 695

In Senate, January 8, 2020

**An Act To Clarify the Law Relating to Corporate Income Tax
Nexus and the Shipment of Spirits into the State**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN, H. of Cumberland.
Cosponsored by Representative CROCKETT of Portland and
Senators: CHIPMAN of Cumberland, DILL of Penobscot, LUCHINI of Hancock,
Representative: SCHNECK of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 36 MRSA §5202-D** is enacted to read:

3 **§5202-D. Exemption**

4 For tax years beginning on or after January 1, 2020, a corporation located outside this
5 State that is a manufacturer of spirits and whose sole nexus with this State is the storage
6 of that corporation's spirits in a warehouse operated by the Department of Administrative
7 and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations or by a
8 wholesaler contracted by the Bureau of Alcoholic Beverages and Lottery Operations
9 under Title 28-A, section 90 is exempt from the taxes imposed pursuant to this chapter.
10 As used in this paragraph, the terms "agency liquor store," "manufacturer" and "spirits"
11 have the same meaning as in Title 28-A, section 2, subsections 1, 19 and 31, respectively.

12 **SUMMARY**

13 This bill exempts from the corporate income tax a manufacturer of alcoholic spirits
14 located outside of this State whose only nexus with the State is the storage of that
15 manufacturer's spirits in a warehouse operated or approved for operation by the
16 Department of Administrative and Financial Services, Bureau of Alcoholic Beverages
17 and Lottery Operations.