

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 989

S.P. 334

In Senate, March 12, 2013

An Act To Conform the Maine Tax Laws for 2012 to the United States Internal Revenue Code

(EMERGENCY)

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Reference to the Committee on Taxation suggested and ordered printed.

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DAREK M. GRANT Secretary of the Senate

Presented by Senator HASKELL of Cumberland. Cosponsored by Representative KNIGHT of Livermore Falls.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** state tax law needs to be updated to conform to federal law before the 90-4 day period expires to avoid delay in the processing of 2012 income tax returns; and
- 5 **Whereas,** legislative action is immediately necessary to ensure continued and 6 efficient administration of the state income tax and certain other state taxes; and

Whereas, in the judgment of the Legislature, these facts create an emergency within
the meaning of the Constitution of Maine and require the following legislation as
immediately necessary for the preservation of the public peace, health and safety; now,
therefore,

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

12 Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2011, c. 530, §1 and 13 affected by §2, is further amended to read:

- 14 1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and
 15 amendments to that Code as of December 31, 2011 2012.
- Sec. 2. Application. This Act applies to tax years beginning on or after January 1,
 2012 and to any prior tax years as specifically provided by the United States Internal
 Revenue Code of 1986 and amendments to that Code as of December 31, 2012.
- 19 Emergency clause. In view of the emergency cited in the preamble, this
 20 legislation takes effect when approved.
- 21

SUMMARY

This bill updates references to the United States Internal Revenue Code contained in the Maine Revised Statutes, Title 36 so that they refer to the United States Internal Revenue Code of 1986 as amended through December 31, 2012 for tax years beginning on or after January 1, 2012 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986. The bill primarily affects the State's income tax laws.