

130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1763

H.P. 1314

House of Representatives, December 2, 2021

An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes

(EMERGENCY)

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Received by the Clerk of the House on November 30, 2021. Referred to the Committee on Taxation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative TERRY of Gorham.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4	Whereas, state tax law needs to be updated to conform to federal law before the 90- day period expires to avoid delay in the processing of income tax returns for 2021; and
5 6	Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the state income tax and certain other state taxes; and
7 8 9 10	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 13	Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2021, c. 398, Pt. H, §1, is further amended to read:
14 15	1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of April 30 December 31, 2021.
16 17 18	Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 2021 and to any prior tax year as specifically provided by the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2021.
19 20	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
21	SUMMARY
22 23 24 25 26	This bill updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 31, 2021, for tax years beginning on or after January 1, 2021 and for any prior tax year as specifically provided by the United States Internal Revenue Code of 1986, as amended.

States Internal Revenue Code of 1986, as amended. 26