



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 501

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H.P. 340

House of Representatives, February 24, 2015

### An Act To Amend the Estate Tax Laws

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Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STUCKEY of Portland.  
Cosponsored by Representatives: ALLEY of Beals, BRYANT of Windham, GOODE of Bangor, HAMANN of South Portland, MOONEN of Portland, TIPPING-SPITZ of Orono.

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

2 **Sec. 1. 36 MRSA §4102, sub-§5**, as enacted by PL 2011, c. 380, Pt. M, §9, is  
3 amended to read:

4 **5. Maine exclusion amount.** "Maine exclusion amount" means \$2,000,000 for the  
5 estates of decedents who die after December 31, 2012 but before January 1, 2016 and  
6 \$1,000,000 for the estates of decedents who die on or after January 1, 2016.

7 **Sec. 2. 36 MRSA §4103, sub-§1**, as enacted by PL 2011, c. 380, Pt. M, §9, is  
8 amended to read:

9 **1. Imposition of tax; decedents who die after December 31, 2012 but before**  
10 **January 1, 2016.** A tax is imposed on the transfer of the Maine taxable estate of every  
11 person who, at the time of death, was a resident of this State. The amount of tax for the  
12 estates of decedents who die after December 31, 2012 but before January 1, 2016 is  
13 determined as provided in this ~~section~~ subsection.

14 A. If the Maine taxable estate is \$2,000,000 or less, the tax is \$0.

15 B. If the Maine taxable estate is more than \$2,000,000 but no more than \$5,000,000,  
16 the tax is 8% of the excess over \$2,000,000.

17 C. If the Maine taxable estate is more than \$5,000,000 but no more than \$8,000,000,  
18 the tax is \$240,000 plus 10% of the excess over \$5,000,000.

19 D. If the Maine taxable estate is more than \$8,000,000, the tax is \$540,000 plus 12%  
20 of the excess over \$8,000,000.

21 The amount of this tax is multiplied by a fraction, the numerator of which is the value of  
22 that portion of the decedent's adjusted federal gross estate that consists of real and  
23 tangible personal property located in this State plus the value of all intangible personal  
24 property and the denominator of which is the value of the decedent's adjusted federal  
25 gross estate.

26 **Sec. 3. 36 MRSA §4103, sub-§1-A** is enacted to read:

27 **1-A. Imposition of tax; decedents who die on or after January 1, 2016.** A tax is  
28 imposed on the transfer of the Maine taxable estate of every person who, at the time of  
29 death, was a resident of this State. The amount of tax for the estates of decedents who die  
30 on or after January 1, 2016 is determined as provided in this subsection.

31 A. If the Maine taxable estate is \$1,000,000 or less, the tax is \$0.

32 B. If the Maine taxable estate is more than \$1,000,000 but no more than \$5,000,000,  
33 the tax is 8% of the excess over \$1,000,000.

34 C. If the Maine taxable estate is more than \$5,000,000 but no more than \$8,000,000,  
35 the tax is \$240,000 plus 10% of the excess over \$5,000,000.

36 D. If the Maine taxable estate is more than \$8,000,000, the tax is \$540,000 plus 12%  
37 of the excess over \$8,000,000.

