

129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2010

H.P. 1431

House of Representatives, January 14, 2020

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

(EMERGENCY)

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

Reference to the Committee on Taxation suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative TIPPING of Orono.

- 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
- Whereas, state tax law needs to be updated to conform to federal law before the 90day period expires to avoid delay in the processing of income tax returns for 2019; 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

7 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 8 the meaning of the Constitution of Maine and require the following legislation as 9 immediately necessary for the preservation of the public peace, health and safety; now, 10 therefore,

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

Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2019, c. 233, §1, 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, 2018 2019.
- Sec. 2. Application. This Act applies to tax years beginning on or after January 1,
 2019 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, 2019.

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 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, 2019, for tax years beginning on or after January 1, 2019 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. This bill primarily affects the State's income tax laws.