## MAINE STATE LEGISLATURE

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## 128th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-2018**

**Legislative Document** 

No. 1655

S.P. 612

In Senate, November 29, 2017

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 Secretary of the Senate on November 27, 2017. Referred to the Committee on Taxation pursuant to Joint Rule 308.2 and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator DOW of Lincoln.

1 2	<b>Emergency preamble. Whereas,</b> acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	<b>Whereas,</b> 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 2017; and
6 7	Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the state income tax and certain other state taxes; and
8 9 10 11	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,
12	Be it enacted by the People of the State of Maine as follows:
13 14	Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2017, c. 24, §1, is further amended to read:
15 16	<b>1-A.</b> Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2016 2017.
17 18 19	<b>Sec. 2. Application.</b> This Act applies to tax years beginning on or after January 1, 2017 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, 2017.
20 21	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this legislation takes effect when approved.
22	SUMMARY
23 24 25 26 27	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, 2017 for tax years beginning on or after January 1, 2017 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