

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1774

H.P. 1137

House of Representatives, April 25, 2023

An Act Exempting Certain Emergency Distributions and Emergency Savings Accounts from Taxation

Reference to the Committee on Taxation suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative ARATA of New Gloucester.
Cosponsored by Senator KEIM of Oxford and
Representatives: BRADSTREET of Vassalboro, CARLOW of Buxton, COLLINGS of
Portland, FAULKINGHAM of Winter Harbor, LAVIGNE of Berwick, MORRIS of Turner,
QUINT of Hodgdon, Senator: STEWART of Aroostook.

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

2 **Sec. 1. 36 MRSA §5122, sub-§2, ¶AAA** is enacted to read:

3 AAA. To the extent included in federal adjusted gross income, any amount constituting
4 an emergency personal expense distribution from an eligible retirement plan allowed
5 under the federal Consolidated Appropriations Act, 2023, Public Law 117-328,
6 Division T, Section 115.

7 **Sec. 2. 36 MRSA §5122, sub-§2, ¶BBB** is enacted to read:

8 BBB. To the extent included in federal adjusted gross income, any capital gains,
9 dividends or interest earned in pension-linked emergency savings accounts described
10 under the federal Consolidated Appropriations Act, 2023, Public Law 117-328,
11 Division T, Section 127.

12 **Sec. 3. Application.** That section of this Act that enacts the Maine Revised Statutes,
13 Title 36, section 5122, subsection 2, paragraph AAA applies to distributions made after
14 December 31, 2023.

15 **SUMMARY**

16 This bill excludes from federal adjusted gross income for purposes of calculating
17 Maine adjusted gross income, to the extent included in federal adjusted gross income:

18 1. An amount constituting an emergency personal expense distribution from an eligible
19 retirement plan allowed under the federal Consolidated Appropriations Act, 2023, Public
20 Law 117-328, Division T, Section 115; and

21 2. Any capital gains, dividends or interest earned in pension-linked emergency savings
22 accounts described under the federal Consolidated Appropriations Act, 2023, Public Law
23 117-328, Division T, Section 127.