



## States' Biofuels Statutes

### STATE OF MARYLAND

*This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.*

*Current through the 2013 Legislative Session of the Maryland General Assembly.*

#### **§ 10-727. Bio-heating oil tax credit**

##### **Definitions**

(a)(1) In this section the following words have the meanings indicated.

(2) “Administration” means the Maryland Energy Administration.

(3) “Bio-heating oil” means a heating oil with a blend of at least 5% biodiesel:

(i) derived from the U.S. Environmental Protection Agency-approved feedstocks; or

(ii) accepted under 42 U.S.C. 7545(o) as per the U.S. EPA Renewable Fuel Standard 2 (RFS2) and the accompanying regulations under 40 C.F.R. Part 80 for diesel fuel replacement.

##### **Credit allowed**

(b) An individual or corporation that receives an initial credit certificate under subsection (d) of this section from the Administration may claim a credit against the State income tax for a taxable year in an amount equal to 3 cents for each gallon of bio-heating oil purchased for space or water heating.

##### **Amount of credit**

(c)(1) For any taxable year, the credit allowed under this section may not exceed the lesser of:

(i) \$500; or

(ii) the State income tax for that taxable year.

(2) The unused amount of the credit for any taxable year may not be carried over to any other taxable year.

**Initial credit certificate**

(d)(1) On application by a taxpayer, the Maryland Energy Administration shall issue an initial credit certificate for the number of gallons of bio-heating oil purchased by the taxpayer for space or water heating.

(2) The initial credit certificate issued under this subsection shall state the maximum amount of credit that may be claimed by the taxpayer.

(3) On January 1, 2009, and each year thereafter, the Administration shall provide to the Comptroller a list of all taxpayers in the prior tax year that have been issued an initial credit certificate and shall specify for each taxpayer the maximum amount of credit allowed.

(4) The Maryland Energy Administration shall adopt regulations to administer the initial credit certificate required under this subsection.

**Credits:** Added by Acts 2008, c. 140, § 1, eff. July 1, 2008. Amended by Acts 2010, c. 72, § 1, eff. April 13, 2010; Acts 2011, c. 566, § 1, eff. June 1, 2011.

**ABROGATION**

<Acts 2008, c. 140, is abrogated effective at the end of June 30, 2018, under the terms of § 3 of that Act, as amended by Acts 2011, c. 566, § 1.>