



Peter Franchot
Comptroller

Sharonne R. Bonardi
Deputy Comptroller

Memorandum: Public Notice for Extension to Pay Income Taxes

This notice is given by Peter Franchot, Comptroller of Maryland, Office of the Comptroller of Maryland, acting pursuant to the Proclamation of Governor Lawrence J. Hogan, Jr. (the “Governor”) dated March 5, 2020 proclaiming a state of emergency and a catastrophic health emergency related to COVID-19, as it may be amended or renewed from time to time, and the Order of the Governor dated March 12, 2020 entitled “Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements”, as it may be amended from time to time, after finding that the action(s) described herein will not endanger the public health, welfare, or safety.

On March 18, 2020, the Internal Revenue Service (“IRS”) issued written guidance explaining its announcement made on March 17, 2020 announcing that the IRS was giving income taxpayers an additional 90 days from the federal deadline for filing income tax returns to pay any income tax that is due without incurring interest and penalties. The IRS guidance issued on March 18, 2020 further stated that the IRS was giving income taxpayers who would be required to make an estimated income tax payment on April 15, 2020 for 2020 income taxes an additional 90 days from April 15, 2020 to make such payment without incurring interest and penalties. Finally, on March 20, 2020, the IRS then issued revised guidance stating that it was also extending the return due date for the income tax returns to mirror the July 15, 2020 extension provided for income tax and estimated tax payments.

Consequently, to conform to the IRS guidance, in addition to suspending the provisions of the Annotated Code of Maryland, Tax-General Article (“Tax General”) §10-901(a) which requires that the income tax due for the taxable year to be paid with the return for that taxable year and §10-901(b) which requires the income tax due for the taxable year to be paid no later than April 30th if the return for the year is filed electronically, the Comptroller is suspending the provisions of Tax General § 10-902(a)(1), to allow individuals, partnerships, or corporations required to file quarterly estimated income tax returns an additional 90 days to make the estimated income tax payment that would otherwise be due with the April 15, 2020 return. Any effect of Tax General § 10-902(a)(1) inconsistent with the foregoing is hereby suspended.

In conjunction with Comptroller Peter Franchot’s previous announcements suspending collection activities for personal and business taxes during the current COVID 19 crisis, the Comptroller is announcing that the deadlines set forth in Annotated Code of Maryland, Tax General Article (“Tax General”), Title 13, subtitle 11, shall be tolled during the current state of emergency. The tolling stated in this notice is effective immediately and shall continue until 30 days after the lifting of the state of emergency by the Governor. Finally, the Comptroller is also extending the due date for certain holder reports due to the Comptroller of Maryland from insurance companies pursuant to the Commercial Law Article § 17-310(d). The holder reports due on April 30, 2020 have been extended to July 31, 2020. The details of the Comptroller’s activities are outlined in the attached Tax Alert.

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This Notice is effective immediately and shall remain in effect until 30 days after the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded.

Sharonne R. Bonardi,
Deputy Comptroller