

SENATE BILL 395

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Q1

1999 Regular Session
9r1454
CF 9r1453

By: **Senators Ruben and Hogan**
Introduced and read first time: February 5, 1999
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 29, 1999

CHAPTER _____

1 AN ACT concerning

2 **Property Tax Credit - Vacant or Underutilized Commercial Buildings**

3 FOR the purpose of authorizing the governing body of a county or municipal
4 corporation to provide for a property tax ~~exemption or~~ credit for certain vacant
5 or underutilized commercial buildings that are converted primarily to housing;
6 authorizing the governing body of a county or municipal corporation to establish
7 certain conditions for the granting of any property tax credit ~~or exemption~~;
8 ~~restricting the use of either an exemption or a credit for each property~~; requiring
9 the governing body of a county or municipal corporation to submit a copy of any
10 legislation granting ~~an exemption or a~~ credit to the Maryland Department of
11 Assessments and Taxation by a certain date; and generally relating to a
12 property tax credit ~~or exemption~~ for certain vacant or underutilized commercial
13 buildings in a county or municipal corporation that are converted primarily to
14 housing.

15 BY adding to
16 Article - Tax - Property
17 Section ~~7-504.3 and~~ 9-233
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1998 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Tax - Property**2 ~~7-504.3.~~

3 ~~(A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY~~
4 ~~PROVIDE BY LAW FOR AN EXEMPTION FROM THE COUNTY OR MUNICIPAL~~
5 ~~CORPORATION PROPERTY TAX, IN PART OR IN FULL, IMPOSED ON A VACANT OR~~
6 ~~UNDERUTILIZED COMMERCIAL BUILDING IF THE BUILDING:~~

7 ~~(1) WAS BUILT PRIMARILY FOR OFFICE, INDUSTRIAL, OR OTHER~~
8 ~~COMMERCIAL PURPOSES;~~

9 ~~(2) WAS LAST USED FOR OFFICE, INDUSTRIAL, OR OTHER COMMERCIAL~~
10 ~~PURPOSES; AND~~

11 ~~(3) IS RENOVATED FOR USE PRIMARILY AS HOUSING.~~

12 ~~(B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY~~
13 ~~ESTABLISH CONDITIONS FOR THE GRANTING OF A PROPERTY TAX EXEMPTION~~
14 ~~UNDER THIS SECTION, INCLUDING:~~

15 ~~(1) ELIGIBILITY CRITERIA;~~

16 ~~(2) APPLICATION PROCEDURES; AND~~

17 ~~(3) PROVISIONS FOR A PAYMENT IN LIEU OF TAXES TO THE COUNTY OR~~
18 ~~MUNICIPAL CORPORATION BY THE RECIPIENT OF THE EXEMPTION.~~

19 ~~(C) IF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION~~
20 ~~GRANTS A PROPERTY TAX EXEMPTION UNDER THIS SECTION, IT MAY NOT ALSO~~
21 ~~GRANT A PROPERTY TAX CREDIT UNDER § 9-233 OF THIS ARTICLE FOR THE SAME~~
22 ~~BUILDING.~~

23 9-233.

24 (A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
25 GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE
26 COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY
27 CONTAINING A VACANT OR UNDERUTILIZED COMMERCIAL BUILDING THAT:

28 (1) WAS BUILT PRIMARILY FOR OFFICE, INDUSTRIAL, OR OTHER
29 COMMERCIAL PURPOSES;

30 (2) WAS LAST USED FOR OFFICE, INDUSTRIAL, OR OTHER COMMERCIAL
31 PURPOSES; AND

32 (3) IS RENOVATED FOR USE PRIMARILY AS HOUSING.

33 (B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
34 ESTABLISH CONDITIONS FOR THE GRANTING OF A PROPERTY TAX CREDIT UNDER
35 PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:

- 1 (1) ELIGIBILITY CRITERIA;
- 2 (2) APPLICATION PROCEDURES; AND
- 3 (3) PROVISIONS FOR A PAYMENT IN LIEU OF TAXES TO THE COUNTY OR
4 MUNICIPAL CORPORATION BY THE RECIPIENT OF THE TAX CREDIT.

5 ~~(C) IF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION~~
6 ~~GRANTS A PROPERTY TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION, IT MAY~~
7 ~~NOT ALSO GRANT A PROPERTY TAX EXEMPTION UNDER § 7-504.3 OF THIS ARTICLE~~
8 ~~FOR THE SAME BUILDING.~~

9 SECTION 2. AND BE IT FURTHER ENACTED, That the governing body of a
10 county or municipal corporation shall submit to the Maryland Department of
11 Assessments and Taxation a copy of any legislation enacted under the authority of
12 this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1999.