

HOUSE BILL 744

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Q1

2000 Regular Session
(01r2269)

ENROLLED BILL

-- Ways and Means/Budget and Taxation --

Introduced by **Delegate Marriott (Baltimore City Administration) and Delegates Branch, Cole, C. Davis, Dobson, Doory, Dypski, Fulton, Gladden, Hammen, Harrison, V. Jones, Kirk, Krysiak, McHale, McIntosh, Nathan-Pulliam, Oaks, Paige, Phillips, Rawlings, and Redmer**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER 151

1 AN ACT concerning

2 **Baltimore City - Release of Liens for Unpaid City Real Property Taxes**

3 FOR the purpose of authorizing the Board of Estimates of Baltimore City to release
4 any liens for unpaid city real property taxes if ~~certain conditions are met,~~
5 ~~including~~ the Baltimore City Department of Housing and Community
6 Development ~~certifying that the property is vacant and if there is a building or~~
7 ~~structure on the property that the building or structure is unsafe or unfit for~~
8 ~~habitation~~ *makes certain certifications about the property*; authorizing the Board
9 of Estimates of Baltimore City to waive the *a certain* requirement ~~that fair~~
10 ~~market value is being paid for property if the potential transferee is a nonprofit~~
11 ~~organization, if the Mayor and City Council receives an amount equal to any~~
12 *receive a certain* tax benefit ~~to be derived by the transferor from the transfer,~~
13 ~~and the transferor's tax debt is reduced by an amount equal to what the Mayor~~

1 ~~and City Council would receive if the fair market value requirement was not~~
 2 ~~waived from the transferor; requiring that a certain transferor's property tax debt~~
 3 ~~is reduced by a certain amount under certain conditions; repealing certain~~
 4 ~~provisions that require the Board to give preference to persons or entities who~~
 5 ~~will create homeownership opportunities; providing that the release of a lien for~~
 6 ~~city real property taxes does not abate the transferor's liability for the~~
 7 ~~remaining amount of the tax debt; making a stylistic change; and generally~~
 8 ~~relating to the release of liens for unpaid city real property taxes.~~

9 BY repealing and reenacting, with amendments,
 10 Article - Tax - Property
 11 Section 14-806
 12 Annotated Code of Maryland
 13 (1994 Replacement Volume and 1999 Supplement)

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

16 **Article - Tax - Property**

17 14-806.

18 (a) In this section, "Board" means the Board of Estimates of Baltimore City.

19 (b) (1) To facilitate a transfer of real property the Board may release any
 20 liens for unpaid city real property taxes or other charges and assessments imposed by
 21 the Mayor and City Council of Baltimore City to which the property would otherwise
 22 be subject, if:

23 (i) the total amount of liens for unpaid city real property taxes,
 24 charges, and assessments imposed with respect to the property exceeds the lesser of
 25 the total value of the land and any improvement on the land as last determined by the
 26 Department or as determined by an appraisal report prepared not more than 6
 27 months before the request for the release of the lien, by a real estate appraiser who is
 28 licensed under Title 16 of the Business Occupations and Professions Article;

29 (ii) [the property is certified by] the Baltimore City Department of
 30 Housing and Community Development [to be] CERTIFIES THAT THE PROPERTY:

31 1. ~~THAT THE PROPERTY IS~~ IS A vacant LOT; and OR
 32 2. ~~IF THERE IS A BUILDING OR STRUCTURE ON THE~~
 33 ~~PROPERTY, THAT THE BUILDING OR STRUCTURE IS~~ HAS A BUILDING OR STRUCTURE
 34 THAT IS:

35 A. VACANT; AND

36 A. B. unsafe; ~~OR~~

- 1 ~~B.~~ OR unfit for [occupancy; or
 2 C. in need of substantial repair] HABITATION;
 3 (iii) the potential transferee demonstrates the ability to return the
 4 property to productive use within a reasonable period of time;
 5 (iv) the Board finds that a transfer under this section is necessary:
 6 1. to eliminate a blighting influence; and
 7 2. to prevent the tax abandonment of a property; and
 8 (v) the potential transferee presents evidence to the Board that fair
 9 market value is being paid.

10 (2) The Board may waive the requirement in paragraph (1)(v) of this
 11 subsection if:

12 (I) the potential transferee is a nonprofit organization as defined
 13 in Article 83B, § 2-203(v) of the [Code.] CODE; AND

14 ~~(II) THE MAYOR AND CITY COUNCIL RECEIVES AN AMOUNT EQUAL
 15 TO ANY TAX BENEFIT TO BE DERIVED BY THE TRANSFEROR FROM THE TRANSFER;
 16 AND~~

17 ~~(III) THE TRANSFEROR'S TAX DEBT IS REDUCED BY AN AMOUNT
 18 EQUAL TO WHAT THE MAYOR AND CITY COUNCIL WOULD RECEIVE IF THE
 19 REQUIREMENT UNDER PARAGRAPH (1)(V) WERE NOT WAIVED.~~

20 (II) THE MAYOR AND THE CITY COUNCIL RECEIVES FROM THE
 21 TRANSFEROR AN AMOUNT EQUAL TO ANY FEDERAL, STATE, OR LOCAL INCOME TAX
 22 BENEFIT REALIZED BY THE TRANSFEROR AS A RESULT OF A DEDUCTION FROM
 23 INCOME FOR A CHARITABLE CONTRIBUTION OF THE PROPERTY TO A NONPROFIT
 24 ORGANIZATION.

25 (3) IF THE CONDITIONS IN PARAGRAPH (2) OF THIS SUBSECTION ARE
 26 MET, THE TRANSFEROR'S PROPERTY TAX DEBT SHALL BE REDUCED BY AN AMOUNT
 27 EQUAL TO THE FAIR MARKET VALUE OF THE TRANSFERRED PROPERTY.

28 [(3) (i) If more than one qualified person or entity competes for the real
 29 property transfer, preference shall be given to the person or entity which will create
 30 homeownership opportunities.

31 (ii) If more than one qualified person or entity competing for the
 32 same property transfer will create homeownership opportunities, the Board shall
 33 consider other factors in selecting a transferee.]

34 (c) The release of a lien for city real property taxes, charges, or assessments as
 35 authorized under subsection (b) of this section [in no way limits the ability of the
 36 Mayor and City Council of Baltimore City to seek enforcement of] DOES NOT ABATE

1 the TRANSFEROR'S liability [of the person responsible for the taxes, charges, or
2 assessments] FOR THE REMAINING AMOUNT OF THE TAX DEBT.

3 (d) The Board may set additional standards and requirements for approval of
4 the release of liens under this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2000.