

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 343

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Homestead”; in the same line, strike the first “Credit”; in the same line, strike “Supplemental”; in line 4, strike “requiring the State and” and substitute “providing a State property tax exemption for certain real property under certain circumstances if the governing body of a county has granted a certain property tax credit; authorizing”; in line 5, strike “a”; in the same line, strike “supplemental”; in the same line, strike “credit” and substitute “credits”; strike beginning with “altering” in line 7 down through “bill” in line 11 and substitute “providing for the amount of certain property tax credits; limiting the period of time for which certain property tax credits may be granted; authorizing certain counties or municipal corporations to establish certain procedures or requirements for the application, review, and approval of certain property tax credits; requiring certain counties and municipal corporations to notify the State Department of Assessments and Taxation of certain tax credits that have been granted; providing that certain property tax credits may not be claimed for certain dwellings”; in line 12, strike “the Homestead Property Tax Credit Program” and substitute “property tax relief for certain dwellings that are damaged or destroyed due to a natural disaster”; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“BY adding to

Article - Tax - Property

Section 7-306, 9-109, and 9-109.1

Annotated Code of Maryland

(2001 Replacement Volume and 2004 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“7-306.

(Over)

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, REAL PROPERTY IS NOT SUBJECT TO STATE PROPERTY TAX IF:

(1) THE HOMEOWNER IS OTHERWISE ELIGIBLE FOR THE CREDIT ALLOWED UNDER § 9-105 OF THIS ARTICLE;

(2) (I) THE DWELLING IS:

1. DAMAGED OR DESTROYED DUE TO A NATURAL DISASTER; AND

2. SUBSEQUENTLY REPAIRED OR RECONSTRUCTED;

(II) THE DWELLING IS REVALUED AFTER THE DWELLING IS REPAIRED OR RECONSTRUCTED; AND

(III) AS A RESULT OF THE REVALUATION, THE ASSESSMENT OF THE DWELLING EXCEEDS THE LAST ASSESSMENT OF THE DWELLING; AND

(3) THE HOMEOWNER CLAIMING THE EXEMPTION HAD A LEGAL INTEREST IN THE DWELLING AT THE TIME THE DWELLING WAS DAMAGED OR DESTROYED AS DESCRIBED UNDER ITEM (2) OF THIS SUBSECTION.

(B) THE PROPERTY TAX EXEMPTION UNDER THIS SECTION ONLY APPLIES FOR A TAXABLE YEAR IN WHICH A PROPERTY TAX CREDIT FOR THE PROPERTY DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS GRANTED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION UNDER § 9-109 OR § 9-109.1 OF THIS TITLE AND APPLIES ONLY TO THE EXTENT THAT THE CREDIT IS GRANTED.”.

AMENDMENT NO. 3

On pages 1 through 6, strike in their entirety the lines beginning with line 21 on page 1 through line 30 on page 6, inclusive.

On page 6, after line 30, insert:

“9-109.”;

in line 31, strike “(J)” and substitute “(A)”; in the same line, strike “(1)”; in the same line, strike “THE STATE AND” and substitute “THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY AND”; in line 32, strike “SHALL” and substitute “MAY”; in the same line, strike “AN ADDITIONAL” and substitute “A”; in line 33, strike “AS DESCRIBED IN THIS SUBSECTION,” and substitute “UNDER THIS SECTION AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY”; in line 34, strike “(I)” and substitute “(1)”; in line 35, strike “SUBSECTION (B) OF THIS SECTION” and substitute “§ 9-105 OF THIS SUBTITLE”; in line 36, strike “(II)” and substitute “(2)”; and in the same line, strike “1.” and substitute “(I)”.

On page 7, in lines 1 and 3, strike “A.” and “B.”, respectively, and substitute “1.” and “2.”, respectively; in lines 4 and 6, strike “2.” and “3.”, respectively, and substitute “(II)” and “(III)”, respectively; in line 8, strike “(III)” and substitute “(3)”; in line 10, strike “ITEM (II)” and substitute “ITEM (2)”; in the same line, strike “PARAGRAPH” and substitute “SUBSECTION”; in line 11, strike “(2)” and substitute “(B)”; in line 12, strike “SUBSECTION” and substitute “SECTION”; in the same line, strike “SHALL EQUAL THE FOLLOWING PERCENTAGE OF” and substitute “MAY NOT EXCEED 100% OF”; in line 14, after “REVALUATION” insert “UNDER § 8-104(C)(1)(III) OF THIS ARTICLE”; in line 15, strike “REPAIR OR RECONSTRUCTION” and substitute “NATURAL DISASTER”; in line 16, strike “SUBSECTION (B)” and substitute “§ 9-105”; in line 17, strike “SECTION IS AUTHORIZED, AS FOLLOWS:” and substitute “SUBTITLE HAS BEEN AUTHORIZED.”; and after line 17, insert:

“(C) A CREDIT UNDER THIS SECTION MAY NOT BE GRANTED FOR MORE THAN 5 YEARS.”

(D) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION SHALL:

(1) ESTABLISH PROCEDURES OR REQUIREMENTS FOR THE APPLICATION, REVIEW, AND APPROVAL OF TAX CREDITS UNDER THIS SECTION;
AND

(Over)

(2) NOTIFY THE DEPARTMENT OF ANY CREDITS THAT HAVE BEEN GRANTED UNDER THIS SECTION.

(E) THE CREDIT UNDER THIS SECTION MAY NOT BE CLAIMED FOR A DWELLING FOR WHICH REPAIR OR RECONSTRUCTION IS COMPLETED:

(1) BEFORE SEPTEMBER 18, 2003; OR

(2) AFTER DECEMBER 31, 2006.”.

AMENDMENT NO. 4

On pages 7 and 8, strike in their entirety the lines beginning with line 18 on page 7 through line 9 on page 8, inclusive.

On page 8, after line 9, insert:

“9-109.1.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY AND THE GOVERNING BODY OF EACH COUNTY AND OF EACH MUNICIPAL CORPORATION MAY GRANT A TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY IF:

(1) THE HOMEOWNER IS OTHERWISE ELIGIBLE FOR THE CREDIT ALLOWED UNDER § 9-105 OF THIS SUBTITLE;

(2) (I) THE DWELLING IS:

1. DAMAGED OR DESTROYED DUE TO A NATURAL DISASTER; AND

2. SUBSEQUENTLY REPAIRED OR RECONSTRUCTED;

(II) THE DWELLING IS REVALUED AFTER THE DWELLING IS REPAIRED OR RECONSTRUCTED; AND

(III) AS A RESULT OF THE REVALUATION, THE ASSESSMENT OF THE DWELLING EXCEEDS THE LAST ASSESSMENT OF THE DWELLING; AND

(3) THE HOMEOWNER CLAIMING THE EXEMPTION HAD A LEGAL INTEREST IN THE DWELLING AT THE TIME THE DWELLING WAS DAMAGED OR DESTROYED AS DESCRIBED UNDER ITEM (2) OF THIS SUBSECTION.

(B) A HOMEOWNER MAY RECEIVE A TAX CREDIT UNDER THIS SECTION ONLY IF THE HOMEOWNER QUALIFIED FOR AND RECEIVED A TAX CREDIT UNDER § 9-109 OF THIS SUBTITLE AND IS NO LONGER RECEIVING A TAX CREDIT UNDER § 9-109 OF THIS SUBTITLE.

(C) THE AMOUNT OF THE PROPERTY TAX CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED 50% OF THE PROPERTY TAX ATTRIBUTABLE TO AN INCREASE IN THE ASSESSMENT OF THE DWELLING UPON REVALUATION UNDER § 8-104(C)(1)(III) OF THIS ARTICLE, INCLUDING IMPROVEMENTS, OVER THE LAST ASSESSMENT OF THE DWELLING BEFORE THE NATURAL DISASTER, LESS THE AMOUNT OF ANY ASSESSMENT ON WHICH A PROPERTY TAX CREDIT UNDER § 9-105 OF THIS SUBTITLE HAS BEEN AUTHORIZED.

(D) A CREDIT UNDER THIS SECTION MAY NOT BE GRANTED FOR MORE THAN 3 YEARS.

(E) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION SHALL:

(1) ESTABLISH PROCEDURES OR REQUIREMENTS FOR THE APPLICATION, REVIEW, AND APPROVAL OF TAX CREDITS UNDER THIS SECTION; AND

(Over)

(2) NOTIFY THE DEPARTMENT OF ANY CREDITS THAT HAVE BEEN GRANTED UNDER THIS SECTION.”;

in lines 10, 12, and 13, strike “(4)”, “(I)”, and “(II)”, respectively, and substitute “(F)”, “(1)”, and “(2)”, respectively; and strike in their entirety lines 14 through 17, inclusive.