

HOUSE BILL 465

Q3

9lr2135
CF 9lr2221

By: **Delegate Ross**

Introduced and read first time: February 4, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Payments – Sale of Real Property by Nonresidents**

3 FOR the purpose of altering the rate of tax that must be paid to the clerk of the circuit
4 court for a county or to the Department of Assessments and Taxation before the
5 recording of certain deeds for the sale of certain property; and generally relating
6 to certain requirements for certain amounts to be paid to the clerk of the circuit
7 court for a county or to the Department of Assessments and Taxation prior to
8 the recording of certain deeds for the sale of certain property.

9 BY repealing and reenacting, with amendments,
10 Article – Tax – General
11 Section 10–912(c)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2008 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 – General**

17 10–912.

18 (c) Except as otherwise provided in this section, in a sale or exchange of real
19 property and associated tangible personal property owned by a nonresident or
20 nonresident entity, the deed or other instrument of writing that effects a change of
21 ownership on the assessment books under the Tax – Property Article may not be
22 recorded with the clerk of the circuit court for a county or filed with the Department of
23 Assessments and Taxation unless payment is made to the clerk of the circuit court for
24 a county or the Department of Assessments and Taxation in an amount equal to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) [the sum of the rate of the tax imposed under § 10–106.1 of this
2 title and the top marginal State income tax rate for individuals under § 10–105(a) of
3 this title, applied to] **7.5% OF** the total payment to a nonresident; or

4 (2) [the rate of the tax for a corporation under § 10–105(b) of this title]
5 **8.25%** of the total payment to a nonresident entity.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2009.