

# SENATE BILL 631

Q8

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CF HB 815

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By: **Senators King, DeGrange, Forehand, Garagiola, Klausmeier, Manno, Miller, and Peters**

Introduced and read first time: February 1, 2013

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2013

Returned to second reading: March 12, 2013

Senate action: Adopted with floor amendments

Read second time: March 13, 2013

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center**

3 FOR the purpose of providing an exemption ~~for certain counties~~ from certain hotel  
4 rental taxes and transient occupancy taxes imposed by certain counties for the  
5 sale of a right to occupy a room or lodgings as a transient guest at certain  
6 facilities or campuses; ~~authorizing certain taxpayers to claim certain refunds;~~  
7 ~~providing for the application of this Act;~~ and generally relating to providing a  
8 certain exemption under certain county hotel rental and transient occupancy  
9 taxes.

10 ~~BY adding to~~

11 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

12 ~~Section 9-306 and 9-602(f)~~

13 ~~Annotated Code of Maryland~~

14 ~~(2011 Replacement Volume and 2012 Supplement)~~

15 BY repealing and reenacting, with amendments,

16 Article – Local Government

17 Section 20-404

18 Annotated Code of Maryland

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of  
 2 2013)

3 BY adding to

4 Article – Local Government

5 Section 20–603(e)

6 Annotated Code of Maryland

7 (As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of  
 8 2013)

9 BY adding to

10 The Charter of Baltimore City

11 Article II – General Powers

12 Section (40)(f)

13 (2007 Replacement Volume, as amended)

14 BY adding to

15 The Public Local Laws of Baltimore County

16 Section 11–1–102(e)

17 Article 3 – Public Local Laws of Maryland

18 (2003 Edition and October 2012 Supplement, as amended)

19 BY adding to

20 The Public Local Laws of Howard County

21 Section 20.400(d)

22 Article 14 – Public Local Laws of Maryland

23 (1977 Edition and August 2008 Supplement, as amended)

24 BY adding to

25 The Public Local Laws of Montgomery County

26 Section 52–17(e)

27 Article 16 – Public Local Laws of Maryland

28 (2004 Edition and December 2012 Supplement, as amended)

29 BY adding to

30 The Public Local Laws of Prince George’s County

31 Section 10–218.01(c)

32 Article 17 – Public Local Laws of Maryland

33 (2007 Edition and 2010 Supplement, as amended)

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

36 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

37 ~~9–306.~~

1 Article – Local Government

2 20-404.

3 **(A) THE HOTEL RENTAL TAX DOES NOT APPLY TO THE SALE OF A RIGHT**  
4 **TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST AT A DORMITORY OR**  
5 **OTHER LODGING FACILITY THAT:**

6 **(1) ~~IS~~ IS OPERATED SOLELY IN SUPPORT OF THE**  
7 **HEADQUARTERS, A TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS**  
8 **FACILITY, OR THE CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;**

9 **(2) ~~PROVIDES~~ PROVIDES LODGING SOLELY FOR EMPLOYEES,**  
10 **CONTRACTORS, VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT**  
11 **OWNS THE DORMITORY OR LODGING FACILITY; AND**

12 **(3) ~~DOES~~ DOES NOT OFFER LODGING SERVICES TO THE GENERAL**  
13 **PUBLIC.**

14 ~~9-602.~~

15 **[(a)] (B) By resolution, Calvert County and St. Mary's County may provide**  
16 **a tax exemption for classes of hotels.**

17 **[(b)] (C) In Carroll County, the hotel rental tax does not apply to a hotel**  
18 **with 10 or fewer sleeping rooms.**

19 **[(c)] (D) Cecil County may impose the hotel rental tax only on a transient**  
20 **charge paid to a hotel located in any part of Cecil County that:**

21 **(1) is specified by the governing body of Cecil County as a population**  
22 **center;**

23 **(2) is not larger than 10 square miles in geographic area; and**

24 **(3) has a population of at least 6,000 residents.**

25 **[(d)] (E) In Frederick County, the hotel rental tax does not apply to a hotel**  
26 **with:**

27 **(1) 10 or fewer sleeping rooms in its main building; and**

28 **(2) not more than 20 additional sleeping rooms in auxiliary structures**  
29 **on the hotel's property.**





1           **(2) PROVIDES LODGING SOLELY FOR EMPLOYEES, CONTRACTORS,**  
2 **VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT OWNS THE**  
3 **DORMITORY OR LODGING FACILITY; AND**

4           **(3) DOES NOT OFFER LODGING SERVICES TO THE GENERAL**  
5 **PUBLIC.**

6                                   **Article 16 – Montgomery County**

7 52–17.

8           **(E) THE COUNCIL MAY NOT IMPOSE A TAX ON THE SALE OF A RIGHT TO**  
9 **OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST AT A DORMITORY OR**  
10 **OTHER LODGING FACILITY THAT:**

11           **(1) IS OPERATED SOLELY IN SUPPORT OF THE HEADQUARTERS, A**  
12 **TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS FACILITY, OR THE**  
13 **CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;**

14           **(2) PROVIDES LODGING SOLELY FOR EMPLOYEES, CONTRACTORS,**  
15 **VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT OWNS THE**  
16 **DORMITORY OR LODGING FACILITY; AND**

17           **(3) DOES NOT OFFER LODGING SERVICES TO THE GENERAL**  
18 **PUBLIC.**

19                                   **Article 17 – Prince George’s County**

20 10–218.01.

21           **(C) THE TAX AUTHORIZED UNDER THIS SECTION DOES NOT APPLY TO**  
22 **THE SALE OF A RIGHT TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT**  
23 **GUEST AT A DORMITORY OR OTHER LODGING FACILITY THAT:**

24           **(1) IS OPERATED SOLELY IN SUPPORT OF THE HEADQUARTERS, A**  
25 **TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS FACILITY, OR THE**  
26 **CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;**

27           **(2) PROVIDES LODGING SOLELY FOR EMPLOYEES, CONTRACTORS,**  
28 **VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT OWNS THE**  
29 **DORMITORY OR LODGING FACILITY; AND**

30           **(3) DOES NOT OFFER LODGING SERVICES TO THE GENERAL**  
31 **PUBLIC.**

1       ~~SECTION 2. AND BE IT FURTHER ENACTED, That a taxpayer may claim a~~  
2 ~~refund from a local government for any hotel rental or transient occupancy taxes paid~~  
3 ~~after June 30, 2010, if the taxes were paid on a transaction that is exempt under this~~  
4 ~~Act.~~

5       SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take  
6 effect June 1, 2013, ~~and shall be applicable to all taxes imposed after June 30, 2010.~~

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.