

SENATE BILL 8

Q2

(PRE-FILED)

6lr0448
CF HB 37

By: **Senator Simonaire**

Requested: July 13, 2015

Introduced and read first time: January 13, 2016

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Property Tax Deferrals – Payment Due Date**

3 FOR the purpose of altering the due date for certain payment of deferred county property
4 taxes in Anne Arundel County under certain circumstances; making clarifying
5 changes to provisions of law that require payment of certain deferred county
6 property taxes under certain circumstances; and generally relating to the payment
7 of deferred county property taxes in Anne Arundel County.

8 BY repealing and reenacting, with amendments,

9 Article – Tax – Property

10 Section 10–204.6

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Tax – Property**

16 10–204.6.

17 (a) Notwithstanding Subtitle 1 of this title, the governing body of Anne Arundel
18 County may authorize, by law, a payment deferral of the county property tax for residential
19 real property occupied as the principal residence of the owner, the provisions of which shall
20 comply with the provisions of subsections (b) through (h) of this section.

21 (b) An owner is eligible for a payment deferral under subsection (a) of this section
22 if the owner or at least one of the owners:

23 (1) has resided in the dwelling for a period of at least 5 consecutive years;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) is at least 62 years of age;

2 (ii) has been found permanently and totally disabled and has
3 qualified for benefits under:

4 1. the Social Security Act;

5 2. the Railroad Retirement Act;

6 3. any federal act for members of the United States armed
7 forces; or

8 4. any federal retirement system; or

9 (iii) has been found permanently and totally disabled by a county
10 health officer or the Baltimore City Commissioner of Health; and

11 (3) meets the income eligibility requirements determined under subsection
12 (c) of this section.

13 (c) If the governing body of Anne Arundel County authorizes a payment deferral
14 under this section, the governing body shall specify:

15 (1) the amount of the tax that may be deferred, not exceeding the increase
16 in the county property tax from the date the taxpayer elects to defer the payment of the
17 tax;

18 (2) the duration of the payment deferral under subsection (a) of this
19 section;

20 (3) restrictions on the amount of the real property eligible for a payment
21 deferral, except that the amount of eligible property may not be less than the dwelling and
22 curtilage, as determined by the supervisor;

23 (4) the rate of interest to be paid on the county property tax payment from
24 the due date without a deferral until the date that the county property tax is paid;

25 (5) that any mortgagee or beneficiary under a deed of trust be entitled to
26 receive notice of the deferral and of the amount of tax to be deferred; and

27 (6) the level of income to determine eligibility for the payment deferral.

28 (d) **[The] EVEN IF THE OWNER NO LONGER SATISFIES THE INCOME**
29 **ELIGIBILITY REQUIREMENTS SPECIFIED UNDER SUBSECTION (C)(6) OF THIS**
30 **SECTION, THE** county property tax that is deferred under this section and any interest
31 specified in subsection (c)(4) of this section are due:

1 (1) when the **DURATION OF THE PAYMENT** deferral [ends as specified in
2 subsection (c)(2) of this subsection] **EXPIRES AS SPECIFIED BY THE GOVERNING BODY**
3 **OF ANNE ARUNDEL COUNTY**;

4 (2) when the [eligible] owner dies; or

5 (3) immediately on transfer of ownership of the property for which the
6 property tax has been deferred.

7 (e) The governing body of Anne Arundel County shall specify the cumulative
8 amount of the deferral and related interest in the taxpayer's annual property tax bill.

9 (f) (1) A lien shall attach to the property in the amount of all deferred taxes
10 and interest.

11 (2) The lien shall remain attached until the deferred taxes and interest are
12 paid.

13 (g) (1) The governing body of Anne Arundel County shall authorize the
14 deferral by written agreement.

15 (2) The agreement shall reflect the terms and conditions of the deferral,
16 including notice of the lien.

17 (3) The agreement shall be recorded in the land records of the county.

18 (h) Penalties may not be charged during the period of the deferral on any tax
19 payments deferred under this section.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2016.