

# HOUSE BILL 223

Q6

8lr0691

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By: ~~Delegates Turner and Ebersole~~ Howard County Delegation

Introduced and read first time: January 18, 2018

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Howard County – Transfer Tax Exemption and Rate Reduction – Teachers**

3 **Ho. Co. 13–18**

4 FOR the purpose of exempting from the Howard County transfer tax the sale of residential  
5 real property to certain teachers under certain circumstances; establishing the  
6 maximum Howard County transfer tax rate applied to the sale of residential real  
7 property to certain teachers under certain circumstances; establishing certain  
8 qualifications for the transfer tax exemption or rate reduction; providing for the  
9 recapture of the transfer tax exempted or reduced under this Act under certain  
10 circumstances; defining a certain term; and generally relating to the transfer tax in  
11 Howard County.

12 BY repealing and reenacting, with amendments,  
13 The Public Local Laws of Howard County  
14 Section 20.300  
15 Article 14 – Public Local Laws of Maryland  
16 (1977 Edition and August 2008 Supplement, as amended)  
17 (As enacted by Chapter 148 of the Acts of the General Assembly of 2017)

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

20 **Article 14 – Howard County**

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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 20.300.

2 (a) Except as provided in subsection (b) of this section, a tax is hereby imposed  
3 upon every instrument of writing conveying title to real or leasehold property offered for a  
4 record and recorded in Howard County with the clerk of the circuit court, for all or only  
5 that portion of such property described in such instrument which is actually located in  
6 Howard County, provided that conveyances to the state or to any agency or instrumentality  
7 thereof, or any political subdivision of the state, or any nonprofit hospital or religious or  
8 charitable organization, association or corporation, shall not be subject to the tax imposed  
9 by this section. The term "instrument of writing," as used in this section shall be deemed  
10 to include any deed, lease, assignment of leasehold property or any other device the purpose  
11 of which is to convey title to real property, but shall not include any mortgage, deed of trust,  
12 conditional sales contract or any other device the purpose of which is to afford a security in  
13 real property rather than to convey title thereto.

14 (b) (1) (i) In this subsection the following words have the meanings  
15 indicated.

16 (ii) "Fire and rescue services member" means a Howard County fire  
17 and rescue services member.

18 (iii) "Law enforcement officer" means a Howard County police officer  
19 or Howard County deputy sheriff.

20 (IV) **"TEACHER" MEANS A CERTIFICATED PROFESSIONAL**  
21 **TEACHER WHO IS EMPLOYED BY THE HOWARD COUNTY BOARD OF EDUCATION.**

22 (2) Subject to the provisions of paragraphs (3) and (4) of this subsection, for  
23 a sale of residential real property in Howard County to a **TEACHER**, law enforcement  
24 officer, or [to a] fire and rescue services member:

25 (i) The transfer tax imposed under subsection (a) of this section does  
26 not apply to the **TEACHER'S**, law enforcement officer's, or fire and rescue services member's  
27 first purchase of residential real property in Howard County; and

28 (ii) The rate of the transfer tax imposed under subsection (a) of this  
29 section may not exceed 0.7% when applied to the **TEACHER'S**, law enforcement officer's, or  
30 fire and rescue services member's second or subsequent purchase of residential real  
31 property in Howard County.

32 (3) To qualify for an exemption or rate reduction under this subsection, at  
33 least one grantee, other than a co-maker or guarantor, must:

34 (i) Occupy the residence as a principal place of residence; and

1 (ii) Be employed as a **TEACHER**, law enforcement officer, or fire and  
2 rescue services member for a minimum of 3 years following the purchase of the residential  
3 real property.

4 (4) If a **TEACHER**, law enforcement officer, or fire and rescue services  
5 member who received a transfer tax exemption or rate reduction under this subsection  
6 subsequently fails to satisfy the requirements of paragraph (3) of this subsection, the  
7 **TEACHER**, law enforcement officer, or fire and rescue services member shall pay the  
8 balance of the transfer tax that would have been otherwise payable.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.