

HOUSE BILL 1666

Q1

8lr3094

By: **Delegates Malone, Arentz, Carozza, Ciliberti, Clark, Flanagan, Hornberger, Kipke, Kittleman, McComas, Metzgar, W. Miller, Morgan, Saab, Shoemaker, and Szeliga**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Small Business Personal Property Tax Relief Act of 2018**

3 FOR the purpose of exempting from the personal property tax persons with certain personal
4 property that is assessed at less than a certain amount of total assessed value for
5 certain taxable years; requiring a person annually to make a certain application to
6 the State Department of Assessments and Taxation for a certain exemption by a
7 certain date; requiring the Department to establish application procedures for a
8 certain purpose; exempting a person under certain circumstances from submitting
9 certain information that would otherwise be required; defining a certain term; and
10 generally relating to the personal property tax.

11 BY adding to

12 Article – Tax – Property

13 Section 7–245

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Tax – Property

18 Section 11–101

19 Annotated Code of Maryland

20 (2012 Replacement Volume and 2017 Supplement)

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

22 That the Laws of Maryland read as follows:

23 **Article – Tax – Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **7-245.**

2 (A) IN THIS SECTION, "TOTAL ASSESSED VALUE" MEANS, FOR EACH
3 PERSON, THE PERSONAL PROPERTY ASSESSMENT THAT IS THE GREATER OF:

4 (1) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR
5 THAT PERSON IN ALL COUNTIES; OR

6 (2) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR
7 THAT PERSON IN ALL MUNICIPAL CORPORATIONS.

8 (B) FOR THE TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2018, AND
9 EACH TAXABLE YEAR THEREAFTER, EXCEPT FOR OPERATING PROPERTY ASSESSED
10 UNDER §§ 8-108 AND 8-109 OF THIS ARTICLE, A PERSON THAT OWNS OR LEASES
11 PERSONAL PROPERTY WITH A TOTAL ASSESSED VALUE OF \$10,000 OR LESS IS
12 EXEMPT FROM THE PERSONAL PROPERTY TAX.

13 (C) (1) A PERSON ANNUALLY SHALL APPLY TO THE DEPARTMENT FOR
14 THE EXEMPTION UNDER SUBSECTION (B) OF THIS SECTION AT THE TIME THE
15 PERSON FILES THE REPORT REQUIRED UNDER § 11-101 OF THIS ARTICLE.

16 (2) THE DEPARTMENT SHALL SPECIFY PROCEDURES FOR
17 APPLICATION FOR, APPROVAL OF, AND MONITORING OF CONTINUING ELIGIBILITY
18 FOR THE EXEMPTION UNDER SUBSECTION (B) OF THIS SECTION.

19 11-101.

20 (a) On or before April 15 of each year, a person shall submit a report on personal
21 property to the Department if:

22 (1) the person is a business trust, statutory trust, domestic corporation,
23 limited liability company, limited liability partnership, or limited partnership;

24 (2) the person is a foreign corporation, foreign statutory trust, foreign
25 limited liability company, foreign limited liability partnership, or foreign limited
26 partnership registered or qualified to do business in the State; or

27 (3) the person owns or during the preceding calendar year owned property
28 that is subject to property tax.

29 (b) A PERSON THAT CERTIFIES IN AN ANNUAL REPORT SUBMITTED UNDER
30 SUBSECTION (A) OF THIS SECTION THAT THE PERSONAL PROPERTY OF THAT
31 PERSON IS ELIGIBLE FOR THE EXEMPTION UNDER § 7-245 OF THIS ARTICLE MAY
32 NOT BE REQUIRED TO SUBMIT THE PERSONAL PROPERTY INFORMATION THAT
33 WOULD OTHERWISE BE REQUIRED IN THE REPORT.

1 **(C)** The report shall:

2 (1) be in the form that the Department requires;

3 (2) be under oath as the Department requires; and

4 (3) contain the information that the Department requires.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2018.