

HOUSE BILL 432

Q1

9lr2944
CF SB 296

By: **Delegates Dumais, Fraser–Hidalgo, and Qi**

Introduced and read first time: January 31, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Exemptions – Nonprofit Charitable Museums**

3 FOR the purpose of providing that certain property owned by a certain nonprofit charitable
4 museum is not subject to a certain limitation concerning an exemption of certain
5 charitable or educational properties from the property tax; providing for the
6 application of this Act; and generally relating to the property tax and certain
7 exemptions for charitable or educational property.

8 BY repealing and reenacting, without amendments,

9 Article – Tax – Property

10 Section 7–202(b)

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2018 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Tax – Property

15 Section 7–202(c)

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2018 Supplement)

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

19 That the Laws of Maryland read as follows:

20 **Article – Tax – Property**

21 7–202.

22 (b) (1) Except as provided in subsection (c) of this section and subject to §
23 7–204.1 of this subtitle, property is not subject to property tax if the property:

24 (i) is necessary for and actually used exclusively for a charitable or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 educational purpose to promote the general welfare of the people of the State, including an
2 activity or an athletic program of an educational institution; and

3 (ii) is owned by:

4 1. a nonprofit hospital;

5 2. a nonprofit charitable, fraternal, educational, or literary
6 organization including:

7 A. a public library that is authorized under Title 23 of the
8 Education Article; and

9 B. a men's or women's club that is a nonpolitical and nonstock
10 club;

11 3. a corporation, limited liability company, or trustee that
12 holds the property for the sole benefit of an organization that qualifies for an exemption
13 under this section; or

14 4. a nonprofit housing corporation.

15 (2) The exemption under paragraph (1)(ii)1 of this subsection includes any
16 personal property initially leased by a nonprofit hospital for more than 1 year under a lease
17 that is noncancellable except for cause.

18 (c) **(1) THIS SUBSECTION DOES NOT APPLY TO REAL PROPERTY OWNED**
19 **BY A NONPROFIT CHARITABLE MUSEUM THAT:**

20 **(I) IS OPEN TO THE PUBLIC; AND**

21 **(II) DOES NOT CHARGE AN ADMISSION FEE.**

22 **[(1)] (2)** Except for a nonprofit hospital, not more than 100 acres of real
23 property owned by an exempt organization and appurtenant to the premises of the exempt
24 organization is exempt from property tax, if the property is located outside of a municipal
25 corporation or Baltimore City.

26 **[(2)] (3)** Not more than 100 acres of real property of a nonprofit hospital
27 that is appurtenant to the hospital is exempt from property tax.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2019, and shall be applicable to all taxable years beginning after June 30, 2019.