

# HOUSE BILL 1405

Q6

9lr2893

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By: **Chair, Howard County Delegation**

Introduced and read first time: February 28, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Transfer Tax – Collection by Director of Finance**

3 **Ho. Co. 30–19**

4 FOR the purpose of requiring the Director of Finance of Howard County, instead of the  
5 Clerk of the Circuit Court of Howard County, to collect the county tax on the  
6 recordation of an instrument of writing that conveys title to real property; repealing  
7 a requirement that the Clerk of the Circuit Court pay to the Director of Finance the  
8 proceeds of the transfer tax in a certain manner; making clarifying and conforming  
9 changes; and generally relating to the collection of the transfer tax in Howard  
10 County.

11 BY repealing and reenacting, with amendments,  
12 The Public Local Laws of Howard County  
13 Section 20.301 and 20.304  
14 Article 14 – Public Local Laws of Maryland  
15 (1977 Edition and August 2008 Supplement, as amended)

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

18 **Article 14 – Howard County**

19 20.301.

20 The tax imposed by this section shall be levied at the rate of one percent of the actual  
21 consideration paid or to be paid for the conveyance of title and shall be collected by the  
22 [clerk of the circuit court prior to his accepting any such] **DIRECTOR OF FINANCE**  
23 **BEFORE THE CLERK OF THE CIRCUIT COURT MAY ACCEPT AN** instrument OF  
24 **WRITING** for recordation.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 20.304.

2 [The clerk of the circuit court shall pay over to the director of finance from time to  
3 time, under such procedures as the director of finance may specify, the proceeds of this tax.]  
4 The director of finance shall [hold such] **COLLECT AND DISTRIBUTE TRANSFER TAX**  
5 proceeds in the following manner: 25% in a special fund known as “The School Site  
6 Acquisition and Construction Fund,” and disbursements from this fund shall be made only  
7 for the purposes set forth in section 9.102 of the Howard County Code; 25% in a special  
8 fund known as “The Park Land Watershed Facilities Fund,” and disbursements from this  
9 fund shall be made only for the purposes set forth in section 19.100 of the Howard County  
10 Code; and the remainder in the general fund of the county, with the stipulation that the  
11 county council shall budget this remainder as follows: 50% plus the interest thereon for the  
12 Howard County Agricultural Land Preservation Fund; 25% for community improvement  
13 and housing programs primarily serving low income individuals and families and the  
14 homeless and for urban renewal; and 25% for the acquisition or leasing of land for new fire  
15 house sites and training facilities and the construction and maintenance of fire house and  
16 training facilities, the acquisition and maintenance of fire equipment, and supplementation  
17 of financial needs of fire companies.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
19 1, 2019.