

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 931

(Delegate Hartman, *et al.*)

Ways and Means

Budget and Taxation

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Eastern Shore Code Counties - Maximum Hotel Rental Tax Rate - Alteration

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This bill authorizes code counties on the Eastern Shore to set a hotel rental tax rate up to 6%. Under current law, the hotel rental tax rate for these counties is capped at 5%. **The bill takes effect July 1, 2023.**

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Fiscal Summary

**State Effect:** None.

**Local Effect:** County revenues increase by approximately \$444,900 annually for the four affected counties on the Eastern Shore and municipal revenues increase by approximately \$4.5 million annually. This estimate assumes that the maximum authorized hotel rental tax rate is imposed in each jurisdiction. Expenditures are not directly affected.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** There are six counties that operate under code home rule: Allegany, Caroline, Charles, Kent, Queen Anne's, and Worcester. Four of these jurisdictions are located on the Eastern Shore. As shown in **Exhibit 1**, all four code home rule counties on the Eastern Shore have a hotel rental tax rate of 5% for fiscal 2023. Code counties on the Eastern Shore are required to collect and distribute the revenues attributable to a hotel located in a municipality to the municipal government.

## *Collection of Hotel Rental Taxes in Maryland*

Hotel rental taxes are imposed in all counties in Maryland. In several jurisdictions, revenues collected from the hotel rental tax are shared with municipalities and community organizations. A few municipalities are also authorized to impose a hotel rental tax or to collect the county tax within their jurisdiction. In fiscal 2023, county governments will collect \$112.1 million in revenue from the hotel rental tax.

Additional information on local hotel rental tax rates and revenues can be found in the [\*County Revenue Outlook report\*](#). A copy of the report is available on the Department of Legislative Services website.

**Local Fiscal Effect:** Increasing the maximum hotel rental tax rate that certain county governments on the Eastern Shore can impose will result in additional county and municipal revenues.

If the four county governments on the Eastern Shore (with the code home rule form of government) increase their hotel rental tax rates to 6%, county revenues will increase by approximately \$444,900 each year, as shown in **Exhibit 1**. This estimate is based on the fiscal 2023 estimated revenue collections as reported in each county's fiscal 2023 budget.

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### **Exhibit 1** **Hotel Rental Tax Rates and County Revenues**

<b><u>County</u></b>	<b><u>Current Tax Rate</u></b>	<b><u>FY 2023 Revenue</u></b>	<b><u>New Tax Rate</u></b>	<b><u>Additional Revenue</u></b>
Caroline	5.0%	\$4,500	6.0%	\$900
Kent	5.0%	110,000	6.0%	22,000
Queen Anne's	5.0%	650,000	6.0%	130,000
Worcester	5.0%	1,460,000	6.0%	292,000
<b>Total</b>		<b>\$2,224,500</b>		<b>\$444,900</b>

Source: County Budgets; Department of Legislative Services

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Along with the increase in county revenues, municipalities in the affected jurisdictions will also realize an increase in local revenues from the hotel rental tax.

Caroline County is projected to collect \$43,750 in hotel rental tax revenues for its municipalities in fiscal 2023. Assuming the maximum tax rate is imposed, municipal revenues could increase by approximately \$8,750 annually.

Rock Hall in Kent County reported hotel rental tax revenues totaling \$50,167 in fiscal 2021. Assuming the maximum tax rate is imposed, municipal revenues could increase by approximately \$10,000 annually.

Worcester County is projected to collect \$22.2 million in hotel rental tax revenues for its municipalities in fiscal 2023. Of this amount, \$22.0 million will be collected within Ocean City. Assuming the maximum tax rate is imposed, municipal revenues could increase by approximately \$4.4 million annually as shown in **Exhibit 2**.

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**Exhibit 2**  
**Potential Increase in Municipal Revenues**  
**Worcester County**

<u><b>Municipality</b></u>	<u><b>FY 2023 Revenue</b></u>	<u><b>Potential Increase</b></u>
Berlin	\$52,500	\$10,500
Ocean City	22,000,000	4,400,000
Pocomoke City	145,500	29,100
Snow Hill	14,000	2,800
<b>Total</b>	<b>\$22,212,000</b>	<b>\$4,442,400</b>

Source: Worcester County; Department of Legislative Services

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**Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 612 (Eastern Shore Senators) - Budget and Taxation.

**Information Source(s):** Caroline, Kent, Queen Anne's, and Worcester counties; Comptroller's Office; Department of Legislative Services

**Fiscal Note History:** First Reader - February 27, 2023  
js/hlb Third Reader - March 20, 2023

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