

SENATE BILL 283

Q1

(PRE-FILED)

4lr0019
CF 4lr0020

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**

Requested: September 10, 2023

Introduced and read first time: January 10, 2024

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: February 10, 2024

CHAPTER _____

1 AN ACT concerning

2 **Homeowners' Property Tax Credit – Application – Attestation of Gross Income**

3 FOR the purpose of authorizing an applicant for the homeowners' property tax credit to
4 attest to gross income on an application in lieu of providing an income tax return to
5 the State Department of Assessments and Taxation under certain circumstances;
6 and generally relating to the homeowners' property tax credit.

7 BY repealing and reenacting, with amendments,
8 Article – Tax – Property
9 Section 9–104(l), (m), and (u)
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2023 Supplement)

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

14 **Article – Tax – Property**

15 9–104.

16 (l) (1) On or before the February 15 that precedes the taxable year in which
17 the property tax credit under this section is sought, the Department shall make available
18 that year's property tax credit application form.

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 (2) (I) Except as provided in subsections (m), (u), and (v) of this section,
2 on or before October 1 of the taxable year in which the property tax credit under this section
3 is sought, a homeowner may apply to the Department for a property tax credit under this
4 section.

5 (II) The application shall be made on the form that the Department
6 provides.

7 (3) (i) For good cause, the Department may accept an application after
8 October 1 but on or before October 31 of the taxable year.

9 (ii) The Department shall notify the homeowner in writing of its
10 acceptance or rejection of a late application.

11 (4) The homeowner shall state under oath that the facts in the application
12 are true.

13 (5) (I) **[To] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
14 **PARAGRAPH, TO** substantiate the application, the applicant may be required to provide a
15 copy of an income tax return, or other evidence detailing gross income or net worth.

16 (II) **AN APPLICANT WHO IS REQUIRED TO SUBSTANTIATE AN**
17 **APPLICATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY, UNDER**
18 **PENALTIES OF PERJURY, ATTEST TO GROSS INCOME IN LIEU OF PROVIDING AN**
19 **INCOME TAX RETURN IF THE APPLICANT WAS NOT REQUIRED TO AND DID NOT FILE**
20 **AN INCOME TAX RETURN.**

21 (m) (1) A home purchaser may apply to the Department for a property tax
22 credit under this section after the execution of a contract of sale on the dwelling or
23 settlement on the dwelling by filing an application on the form that the Department
24 provides.

25 (2) The home purchaser shall state under oath that the facts in the
26 application are true.

27 (3) (I) **[To] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
28 **PARAGRAPH, TO** substantiate the application, the Department may require the applicant
29 to provide a copy of an income tax return, or other evidence detailing gross income or net
30 worth.

31 (II) **AN APPLICANT WHO IS REQUIRED TO SUBSTANTIATE AN**
32 **APPLICATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY, UNDER**
33 **PENALTIES OF PERJURY, ATTEST TO GROSS INCOME IN LIEU OF PROVIDING AN**
34 **INCOME TAX RETURN IF THE APPLICANT WAS NOT REQUIRED TO AND DID NOT FILE**
35 **AN INCOME TAX RETURN.**

1 (4) If the home purchaser files an application for a credit under this section
2 prior to settlement, the purchaser must file this application within 7 working days after
3 the execution of a contract of sale.

4 (5) Upon receipt of an application prior to settlement, the Department:

5 (i) may further require the applicant to provide a copy of the
6 executed sale agreement;

7 (ii) shall determine the amount, if any, of the credit for which the
8 home purchaser is eligible under this section; and

9 (iii) shall notify the home purchaser in writing of its decision within
10 5 working days from receipt of the application.

11 (6) The Department shall adopt regulations governing the application for
12 and granting of a credit before settlement as provided under this section.

13 (7) On certification by the Department, the Comptroller shall pay to the
14 home purchaser the property tax credit due under this section unless the credit was used
15 to adjust the home purchaser's final tax liability paid at settlement under subsection (r) of
16 this section.

17 (u) (1) Under the conditions set forth in this subsection, the Department may
18 accept an application from a homeowner within:

19 (i) 1 year after April 15 of the taxable year for which the property
20 tax credit under this section is sought, if the homeowner:

21 1. is applying for the first time; or

22 2. has filed an application on or before October 1 in each of
23 the 3 taxable years immediately preceding the taxable year for which the credit is sought;
24 or

25 (ii) 3 years after April 15 of the taxable year for which a credit is
26 sought, if the homeowner:

27 1. is at least 70 years old as of the taxable year for which a
28 credit is sought; and

29 2. was eligible for the credit under this section for the taxable
30 year for which the credit is sought.

31 (2) A homeowner may apply to the Department for a property tax credit
32 under this section by filing an application on the form that the Department provides.

1 (3) The homeowner shall state under oath that the facts in the application
2 are true.

3 (4) (I) [To] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH, TO substantiate the application, the Department may require the
5 homeowner to provide a copy of an income tax return, or other evidence detailing gross
6 income or net worth.

7 (II) A HOMEOWNER WHO IS REQUIRED TO SUBSTANTIATE AN
8 APPLICATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY, UNDER
9 PENALTIES OF PERJURY, ATTEST TO GROSS INCOME IN LIEU OF PROVIDING AN
10 INCOME TAX RETURN IF THE HOMEOWNER WAS NOT REQUIRED TO AND DID NOT FILE
11 AN INCOME TAX RETURN.

12 (5) On certification by the Department, the Comptroller shall pay to the
13 homeowner the property tax credit due under this section.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2024, and shall be applicable to all taxable years beginning after June 30, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.