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**By: Senator Della**

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax - Assessment and Taxation - Unsold Condominium Units Valued as Income**  
3 **Producing Real Property**

4 FOR the purpose of authorizing the valuation of certain real property as income  
5 producing real property under certain conditions; defining a certain term; and  
6 generally relating to the assessment and taxation of real property.

7 BY repealing and reenacting, without amendments,  
8 Article - Tax - Property  
9 Section 8-105(a)(1)  
10 Annotated Code of Maryland  
11 (1994 Replacement Volume and 1995 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Tax - Property  
14 Section 8-207  
15 Annotated Code of Maryland  
16 (1994 Replacement Volume and 1995 Supplement)

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

19 **Article - Tax - Property**

20 8-105.

21 (a) (1) Except for land that is actively devoted to farm or agricultural use, the  
22 supervisor:

23 (i) may value income producing real property by using the  
24 capitalization of income method or any other appropriate method of valuing the real  
25 property; and

26 (ii) shall consider an income method in valuing income producing  
27 commercial real property.

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1 8-207.

2 (A) IN THIS SECTION, "DEVELOPER" MEANS A PERSON WHO SUBJECTS REAL  
3 PROPERTY OWNED BY THAT PERSON TO THE CONDOMINIUM REGIME ESTABLISHED  
4 BY TITLE 11 OF THE REAL PROPERTY ARTICLE.

5 [(a)] (B) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,  
6 EACH unit in a condominium and the undivided interest in common elements shall be  
7 valued as provided by § 8-104 of this title.

8 (C) A CONDOMINIUM UNIT THAT THE DEVELOPER HAS NOT SOLD TO AN  
9 INDIVIDUAL UNIT OWNER SHALL BE VALUED AS PROVIDED BY § 8-105 OF THIS  
10 TITLE.

11 [(b)] (D) Each condominium unit is separately listed in the assessment records of  
12 the county where the condominium is located.

13 [(c)] (E) A sale or forfeiture of a unit for failure to pay the property tax, general  
14 or special assessments, or other charges is applicable only to the unit subject to sale or  
15 forfeiture. A sale or forfeiture of a unit may not affect the title to any other unit for which  
16 all taxes, assessments, or charges have been paid.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 June 1, 1996.