

SENATE BILL 203

Unofficial Copy  
Q1

1998 Regular Session  
(8lr0611)

**ENROLLED BILL**  
-- Budget and Taxation/Ways and Means --

Introduced by ~~Senator Green~~ **Senators Green, Craig, Fry, and Collins**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **~~Property Tax Exemption - Land Trusts~~**  
3 **State Property Tax Exemption - Property Tax Credits - Land Trusts and**  
4 **Western Shore Conservancy**

5 FOR the purpose of providing for an exemption from State property tax for property  
6 that is owned by certain land trusts and used for certain purposes; authorizing  
7 a county to grant, under certain conditions, a property tax credit for certain  
8 property owned by the Western Shore Conservancy or certain land trusts and  
9 used for certain purposes; and providing for the application of this Act.

10 BY repealing and reenacting, without amendments,  
11 Article - Natural Resources  
12 Section 3-2A-01(d)  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume and 1997 Supplement)

15 BY adding to

1 Article - Tax - Property  
 2 Section ~~7-241~~ 7-304  
 3 Annotated Code of Maryland  
 4 (1994 Replacement Volume and 1997 Supplement)

5 BY repealing and reenacting, with amendments,

6 Article - Tax - Property  
 7 Section 9-220  
 8 Annotated Code of Maryland  
 9 (1994 Replacement Volume and 1997 Supplement)

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

12 **Article - Natural Resources**

13 3-2A-01.

14 (d) "Land trust" means a qualified conservation organization that:

15 (1) Is a qualified organization under § 170(h)(3) of the Internal Revenue  
 16 Code and regulations adopted under § 170(h)(3); and

17 (2) Has executed a cooperative agreement with the Maryland  
 18 Environmental Trust.

19 **Article - Tax - Property**

20 ~~7-241, 7-304.~~

21 (A) PROPERTY IS NOT SUBJECT TO STATE PROPERTY TAX IF THE PROPERTY IS:

22 (1) OWNED BY A LAND TRUST AS DEFINED IN § 3-2A-01 OF THE  
 23 NATURAL RESOURCES ARTICLE THAT IS CERTIFIED BY THE MARYLAND  
 24 ENVIRONMENTAL TRUST TO BE A LAND TRUST IN GOOD STANDING AND TO HAVE A  
 25 COOPERATIVE AGREEMENT IN EFFECT; AND

26 (2) USED:

27 (I) TO ASSIST IN THE PRESERVATION OF A NATURAL AREA;

28 (II) FOR THE ENVIRONMENTAL EDUCATION OF THE PUBLIC;

29 (III) TO CONSERVE AGRICULTURAL LAND AND TO PROMOTE  
 30 CONTINUED AGRICULTURAL USE OF THE LAND;

31 (IV) GENERALLY TO PROMOTE CONSERVATION; OR

1 (V) FOR THE MAINTENANCE OF A NATURAL AREA FOR PUBLIC USE  
2 OR A SANCTUARY FOR WILDLIFE.

3 (B) TO QUALIFY FOR AN EXEMPTION UNDER THIS SECTION, A LAND TRUST  
4 SHALL OBTAIN A WRITTEN CERTIFICATION EVERY 5 YEARS BEGINNING JULY 1, 1998,  
5 OR AS SCHEDULED BY THE MARYLAND ENVIRONMENTAL TRUST.

6 9-220.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) "Conservation land" means real property that is:

9 (i) subject to a perpetual conservation easement donated to a land  
10 trust on or after July 1, 1991;

11 (ii) 1. acquired by a land trust on or after July 1, 1991;

12 2. owned in fee by that land trust; and

13 3. subject to a letter of intent, agreement, or option agreement  
14 for the resale of the property to a government agency; [or]

15 (iii) owned by the Potomac Conservancy; OR

16 (IV) OWNED BY THE WESTERN SHORE CONSERVANCY.

17 (3) "Land trust" means a qualified conservation organization as defined  
18 in § 3-2A-01 of the Natural Resources Article.

19 (b) The Mayor and City Council of Baltimore City or the governing body of a  
20 county or municipal corporation may grant, by law, a property tax credit against the  
21 county or municipal corporation property tax imposed on conservation land OR  
22 PROPERTY OWNED BY A LAND TRUST THAT QUALIFIES UNDER SUBSECTION (D) OF  
23 THIS SECTION, that is used:

24 (1) to assist in the preservation of a natural area;

25 (2) for the environmental education of the public;

26 (3) generally to promote conservation; or

27 (4) for the maintenance of:

28 (i) a natural area for public use; or

29 (ii) a sanctuary for wildlife.

30 (c) The Mayor and City Council of Baltimore City or the governing body of a  
31 county or municipal corporation may provide, by law, for:

1           (1)     the amount and duration of the property tax credit under this section;

2 and

3           (2)     any other provision necessary to carry out the property tax credit

4 under this section.

5     (D)     TO QUALIFY FOR A PROPERTY TAX CREDIT UNDER HIS SECTION, A LAND

6 TRUST SHALL:

7           (1)     BE CERTIFIED BY THE MARYLAND ENVIRONMENTAL TRUST TO BE A

8 LAND TRUST IN GOOD STANDING AND TO HAVE A COOPERATIVE AGREEMENT IN

9 EFFECT; AND

10          (2)     OBTAIN A WRITTEN CERTIFICATION EVERY 5 YEARS BEGINNING

11 JULY 1, 1998, OR AS SCHEDULED BY THE MARYLAND ENVIRONMENTAL TRUST.

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

13 July 1, 1998. June 1, 1998, and shall be applicable to all taxable years beginning after

14 June 30, 1998.