

HOUSE BILL 262

Unofficial Copy
Q1

1999 Regular Session
9r1453
CF 9r1454

By: **Delegates Gordon, Dembrow, Goldwater, Mandel, Hixson, Shriver, and Hurson**

Introduced and read first time: February 3, 1999

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax - Vacant or Underutilized Commercial Buildings**

3 FOR the purpose of authorizing the governing body of a county or municipal
4 corporation to provide for a property tax exemption or credit for certain vacant
5 or underutilized commercial buildings that are converted primarily to housing;
6 authorizing the governing body of a county or municipal corporation to establish
7 certain conditions for the granting of any property tax credit or exemption;
8 restricting the use of either an exemption or a credit for each property; requiring
9 the governing body of a county or municipal corporation to submit a copy of any
10 legislation granting an exemption or credit to the Maryland Department of
11 Assessments and Taxation by a certain date; and generally relating to a
12 property tax credit or exemption for certain vacant or underutilized commercial
13 buildings in a county or municipal corporation that are converted primarily to
14 housing.

15 BY adding to
16 Article - Tax - Property
17 Section 7-504.3 and 9-233
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1998 Supplement)

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

22 **Article - Tax - Property**

23 7-504.3.

24 (A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
25 PROVIDE BY LAW FOR AN EXEMPTION FROM THE COUNTY OR MUNICIPAL
26 CORPORATION PROPERTY TAX, IN PART OR IN FULL, IMPOSED ON A VACANT OR
27 UNDERUTILIZED COMMERCIAL BUILDING IF THE BUILDING:

1 (1) WAS BUILT PRIMARILY FOR OFFICE, INDUSTRIAL, OR OTHER
2 COMMERCIAL PURPOSES;

3 (2) WAS LAST USED FOR OFFICE, INDUSTRIAL, OR OTHER COMMERCIAL
4 PURPOSES; AND

5 (3) IS RENOVATED FOR USE PRIMARILY AS HOUSING.

6 (B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
7 ESTABLISH CONDITIONS FOR THE GRANTING OF A PROPERTY TAX EXEMPTION
8 UNDER THIS SECTION, INCLUDING:

9 (1) ELIGIBILITY CRITERIA;

10 (2) APPLICATION PROCEDURES; AND

11 (3) PROVISIONS FOR A PAYMENT IN LIEU OF TAXES TO THE COUNTY OR
12 MUNICIPAL CORPORATION BY THE RECIPIENT OF THE EXEMPTION.

13 (C) IF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION
14 GRANTS A PROPERTY TAX EXEMPTION UNDER THIS SECTION, IT MAY NOT ALSO
15 GRANT A PROPERTY TAX CREDIT UNDER § 9-233 OF THIS ARTICLE FOR THE SAME
16 BUILDING.

17 9-233.

18 (A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
19 GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE
20 COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY
21 CONTAINING A VACANT OR UNDERUTILIZED COMMERCIAL BUILDING THAT:

22 (1) WAS BUILT PRIMARILY FOR OFFICE, INDUSTRIAL, OR OTHER
23 COMMERCIAL PURPOSES;

24 (2) WAS LAST USED FOR OFFICE, INDUSTRIAL, OR OTHER COMMERCIAL
25 PURPOSES; AND

26 (3) IS RENOVATED FOR USE PRIMARILY AS HOUSING.

27 (B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
28 ESTABLISH CONDITIONS FOR THE GRANTING OF A PROPERTY TAX CREDIT UNDER
29 PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING:

30 (1) ELIGIBILITY CRITERIA;

31 (2) APPLICATION PROCEDURES; AND

32 (3) PROVISIONS FOR A PAYMENT IN LIEU OF TAXES TO THE COUNTY OR
33 MUNICIPAL CORPORATION BY THE RECIPIENT OF THE TAX CREDIT.

1 (C) IF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION
2 GRANTS A PROPERTY TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION, IT MAY
3 NOT ALSO GRANT A PROPERTY TAX EXEMPTION UNDER § 7-504.3 OF THIS ARTICLE
4 FOR THE SAME BUILDING.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the governing body of a
6 county or municipal corporation shall submit to the Maryland Department of
7 Assessments and Taxation a copy of any legislation enacted under the authority of
8 this Act.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 1999.