

SENATE BILL 95

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Q8

1999 Regular Session
9lr0703

By: **Senators Jacobs, Collins, and Hooper**
Introduced and read first time: January 18, 1999
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Hotel Rental Tax - Repeal**

3 FOR the purpose of repealing certain authority for Harford County to impose a hotel
4 rental tax; repealing a requirement that the Harford County Tourism Council
5 submit its proposed annual budget to the Harford County Executive and
6 Harford County Council for review and comment; repealing certain authority for
7 the Harford County Executive and Harford County Council to audit the Harford
8 County Tourism Council; and generally relating to the repeal of certain
9 authority for Harford County to impose a hotel rental tax.

10 BY repealing and reenacting, with amendments,
11 Article 24 - Political Subdivisions - Miscellaneous Provisions
12 Section 9-301(b), 9-303(b), 9-304(b), 9-310(a), 9-318(a), and 9-325
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 1998 Supplement)

15 BY repealing
16 Article 24 - Political Subdivisions - Miscellaneous Provisions
17 Section 9-305(c), 9-306, and 9-318(b)(5)
18 Annotated Code of Maryland
19 (1998 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 24 - Political Subdivisions - Miscellaneous Provisions**

23 9-301.

24 (b) "Authorized county" means:

25 (1) A code county;

26 (2) Calvert County;

- 1 (3) Cecil County;
- 2 (4) Charles County;
- 3 (5) Dorchester County;
- 4 (6) Garrett County;
- 5 [(7) Harford County;]
- 6 [(8)] (7) St. Mary's County;
- 7 [(9)] (8) Somerset County;
- 8 [(10)] (9) Talbot County;
- 9 [(11)] (10) Washington County; and
- 10 [(12)] (11) Wicomico County.

11 9-303.

12 (b) Before Calvert County, Charles County, [Harford County,] or St. Mary's
13 County imposes a hotel rental tax, the governing body of the county shall hold a
14 public hearing, which:

15 (1) Shall be advertised twice by publication in a newspaper of general
16 circulation in the county at least 10 days before the hearing; and

17 (2) May not be part of the annual budget hearing.

18 9-304.

19 (b) An authorized county may not set a hotel rental tax rate that exceeds:

- 20 (1) 3% in a code county;
- 21 (2) 5% in Calvert County;
- 22 (3) 3% in Cecil County;
- 23 (4) 5% in Charles County;
- 24 (5) 4% in Dorchester County;
- 25 (6) 5% in Garrett County;
- 26 [(7) 3% in Harford County;]
- 27 [(8)] (7) 5% in St. Mary's County;
- 28 [(9)] (8) 3% in Somerset County;

- 1 [(10)] (9) 3% in Talbot County;
2 [(11)] (10) 3% in Washington County; and
3 [(12)] (11) 5% in Wicomico County.

4 9-305.

5 [(c) The governing body of Harford County may provide, by law, a tax
6 exemption for transient charges paid by a nonprofit charitable organization to a hotel
7 to provide temporary shelter for individuals who are in need as a result of
8 misfortune.]

9 [9-306.

10 (a) The Harford County Tourism Council shall submit its proposed annual
11 budget to the Harford County Executive and Harford County Council for review and
12 comment.

13 (b) The Harford County Executive and Harford County Council may at the
14 expense of Harford County, audit the Harford County Tourism Council and the
15 tourism funds from the hotel rental tax distributed to municipal corporations in
16 Harford County under § 9-318 of this article.]

17 9-310.

18 (a) A hotel shall complete, sign, and file a hotel rental tax return with:

- 19 (1) A code county, on or before the 10th day of each month;
20 (2) Calvert County, on or before the 21st day of each month;
21 (3) Cecil County, on or before the 10th day of each month;
22 (4) Charles County, on or before the 21st day of each month;
23 (5) Dorchester County, on or before the 21st day of each month;
24 (6) Garrett County, on or before the 21st day of each month;
25 [(7) Harford County, on or before the 21st day of each month;]
26 [(8)] (7) St. Mary's County, on or before the 21st day of each month;
27 [(9)] (8) Somerset County, on or before the 21st day of each month;
28 [(10)] (9) Talbot County, on or before the 20th day of each month;
29 [(11)] (10) Washington County, on or before the 25th day of each month;
30 and

1 [(12)] (11) Wicomico County, on or before the 20th day of each month.

2 9-318.

3 (a) Except for Talbot County [, Harford County,] and Washington County, an
4 authorized county shall distribute the hotel rental tax revenue as follows:

5 (1) From the total revenue, a reasonable sum for hotel rental tax
6 administrative costs to the general fund of the county;

7 (2) In a code county and Calvert, Cecil, Garrett, and St. Mary's Counties,
8 after the distribution in item (1) of this subsection, the revenue attributable to a hotel
9 located in a municipal corporation to the municipal corporation; and

10 (3) The remaining balance to the general fund of the county.

11 (b) [(5) Harford County:

12 (i) May distribute to the general fund of the county not more than
13 5% of the revenue for administrative costs;

14 (ii) After the distribution under item (i) of this paragraph, shall
15 distribute 20% of the revenues collected in a municipal corporation located in Harford
16 County to that municipal corporation for use on tourism or tourism-related projects;
17 and

18 (iii) Shall distribute all remaining revenues after the distributions
19 under items (i) and (ii) of this paragraph to the Harford County Tourism Council.]

20 9-325.

21 Unpaid hotel rental tax in a code county, Cecil County, Charles County,
22 Dorchester County, [Harford County,] Somerset County, Talbot County, Washington
23 County, and Wicomico County is a lien against the real and personal property of the
24 person owing the tax and is collectible in the same manner as the property tax may be
25 collected under the Tax - Property Article.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect July 1, 1999.