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# (PRE-FILED)

By: Chairman, Budget and Taxation Committee (Departmental - Assessments and Taxation)

Requested: October 26, 2000

Introduced and read first time: January 10, 2001

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: January 30, 2001

CHAPTER

1 AN ACT concerning

# 2 **Property Tax - Full Value Assessments**

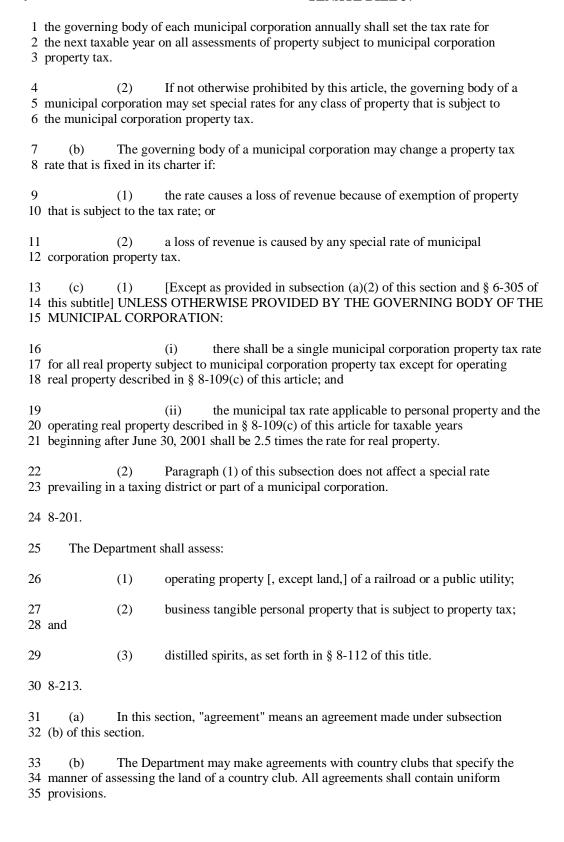
- 3 FOR the purpose of clarifying and correcting certain laws relating to the assessment
- 4 and taxation of property as a result of the transition to full value assessments;
- 5 correcting a limit on debt to reflect the changes in computation of assessments;
- 6 altering certain information required to be included in assessment records;
- 7 clarifying the authority of municipal governing bodies to set property tax rates;
- 8 confirming the reassessment of certain land subject to forest conservation
- 9 management agreements; altering a provision concerning the calculation of the
- recordation tax on certain leased property; altering a provision concerning the
- calculation of the transfer tax on certain leased property; repealing certain
- obsolete provisions; providing for the applicability of this Act; and generally
- relating to full value property assessments.
- 14 BY repealing and reenacting, with amendments,
- 15 Article 25A Chartered Counties of Maryland
- 16 Section 5(P)(1)(i)
- 17 Annotated Code of Maryland
- 18 (1998 Replacement Volume and 2000 Supplement)
- 19 (As enacted by Chapter 80 of the Acts of the General Assembly of 2000)
- 20 BY repealing and reenacting, without amendments,
- 21 Article Tax Property
- 22 Section 2-211(a)
- 23 Annotated Code of Maryland

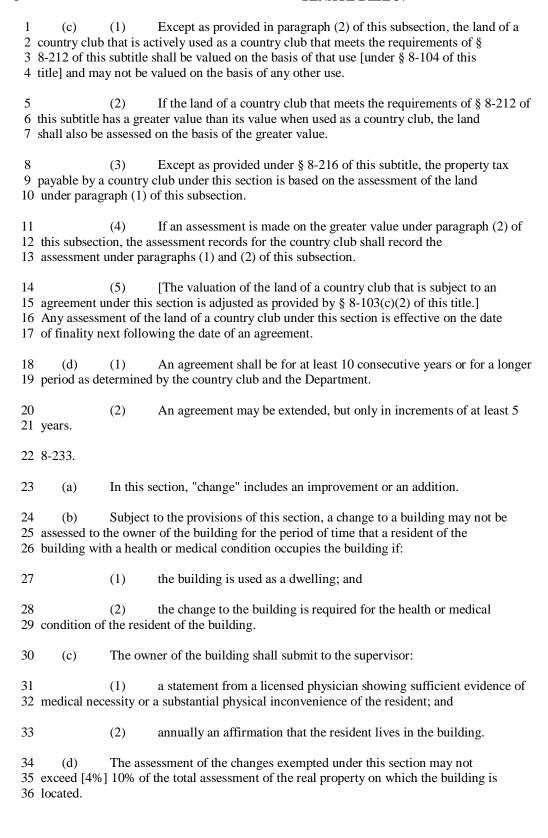
- **SENATE BILL 37** 1 (1994 Replacement Volume and 2000 Supplement) BY repealing and reenacting, with amendments, 2 3 Article - Tax - Property 4 Section 2-211(b), 6-303, 8-201, 8-213, 8-233, 12-105(d), and 13-205(b) 5 Annotated Code of Maryland 6 (1994 Replacement Volume and 2000 Supplement) 7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 8 MARYLAND, That the Laws of Maryland read as follows: 9 Article 25A - Chartered Counties of Maryland 10 5. 11 The following enumerated express powers are granted to and conferred upon 12 any county or counties which hereafter form a charter under the provisions of Article 13 XI-A of the Constitution, that is to say: 14 (P) 15 (1) To provide for the borrowing of moneys on the faith and credit of the county 16 and for the issuance of bonds or other evidences of indebtedness therefor in such sums, for such purposes, on such terms and payable at such times, and from such 18 taxes or other sources as may have been or may be provided by or pursuant to local 19 law, subject to any limitations imposed by the charter adopted by the county and to 20 the following limitations: 21 The aggregate amount of bonds and other evidences of indebtedness 22 outstanding at any one time shall not exceed a total of 6 percent of the assessable 23 basis of real property of the county and 15 percent of the county's assessable basis of 24 personal property and operating real property described in § 8-109(c) of the Tax -25 Property Article of the county, except that (a) tax anticipation notes or other evidences 26 of indebtedness having a maturity not in excess of 12 months, (b) bonds or other 27 evidences of indebtedness issued or guaranteed by the county payable primarily or 28 exclusively from taxes levied in or on, or other revenues of, special taxing areas or
- 30 indebtedness issued for self-liquidating and other projects payable primarily or 31 exclusively from the proceeds of assessments or charges for special benefits or
- 32 services, shall not be subject to, or be included as bonds or evidences of indebtedness

29 districts heretofore or hereafter established by law, and (c) bonds or other evidences of

- 33 in computing or applying, the [6 percent limitation] LIMITATIONS ESTABLISHED IN
- 34 THIS SECTION.

#### 1 **Article - Tax - Property** 2 2-211. 3 (a) (1) Each supervisor shall keep a record of all real property assessments 4 in the county. 5 The record shall be arranged alphabetically, according to owners, by (2) 6 election district or subdistrict, taxing district, or assessment area. However, the 7 supervisor may arrange the record: 8 listing the real properties in lot and block order by subdivisions, (i) 9 if the record also contains an alphabetical index that shows the page where the 10 accounts listed may be located; 11 (ii) in Baltimore City, by wards and by blocks that correspond, as 12 far as possible, to the block numbers used in the Baltimore City Circuit Court records; 13 or 14 (iii) in an electronic medium. 15 Each account in the record shall show for the real property: (b) (1) the name and address of the owner; 16 (i) 17 (ii) a brief description of the property; 18 (iii) the specific location of the property; 19 the general location of the property including a deed or will (iv) 20 reference and any tax map reference; AND 21 (v) the assessment of: 22 1. the land; and any improvement on the land [; and 23 2. (vi) the total value of: 24 25 1. the land; and 2. 26 any improvement on the land]. (2) 27 The details of land and improvements on the land that have been 28 valued at different amounts shall be recorded on the respective worksheet or card. 29 6-303. 30 Except as provided in paragraph (2) of this subsection [and § 6-305 (a) 31 of this subtitle], in each year after the date of finality and before the following July 1,





1	(e)	The Department shall adopt regulations to provide:			
2 3	medical cond	(1) lition;	Criteria	to determine what is sufficient evidence of a health or	
4		(2)	The form	m of the annual affirmation of residence; and	
5 6	medical cond	(3) lition.	Criteria	to determine what changes are required for the health or	
7 8	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:				
9		Article - Tax - Property			
10	12-105.				
11 12	(d) For a lease of real property for a term of more than 7 years not perpetually renewable, the recordation tax applies to:				
	(1) the average annual rent over the term of the lease, including renewals, capitalized at 10% plus any additional consideration payable, other than rent; or				
16		(2)	if the av	verage annual rent cannot be determined, the greater of:	
	the lease, ca rent; or	pitalized	(i) at 10% p	105% of the minimum average annual rent as determined by blus any additional consideration payable, other than	
20 21	lease.		(ii)	[150%] 60% of the assessment of the real property subject to	
22	13-205.				
23 24	(b) property for			ed in § 13-207(a)(14) of this subtitle, for a lease of real ot perpetually renewable, the transfer tax applies to:	
	renewals, carent; or	(1) pitalized		rage annual rent over the term of the lease, including plus any additional consideration payable, other than	
28		(2)	if the av	verage annual rent cannot be determined, the greater of:	
	the lease, ca rent; or	pitalized	(i) at 10%, j	105% of the minimum average annual rent, as determined by plus any additional consideration payable, other than	
32 33	lease.		(ii)	[150%] 60% of the assessment of the real property subject to	

- 1 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding §
- 2 8-211(h) of the Tax Property Article, land subject to a forest conservation
- 3 management agreement that receives an agricultural use assessment shall be
- 4 reassessed pursuant to Section 12 of Chapter 80 of the Acts of 2000.
- 5 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 and 3 of this Act
- 6 shall take effect June 1, 2001, and shall be applicable to all taxable years beginning
- 7 after June 30, 2001.
- 8 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
- 9 Section 4 of this Act, this Act shall take effect July 1, 2001.