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By: Delegates Bozman, W. Baker, Cadden, Conway, Heller, Patterson, Phillips, Ports, and Rudolph

Introduced and read first time: January 28, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1	A TAT		•
1	AN	ACL	concerning
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2	Property Tax - Personal Property - I	keport

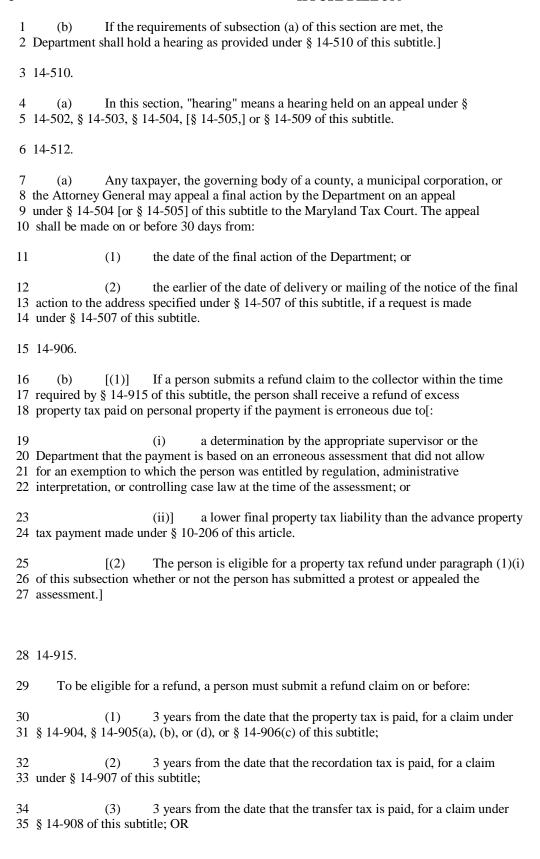
- 3 FOR the purpose of authorizing an individual who has filed a personal property tax
- 4 report with the Department of Assessments and Taxation to file an amended
- 5 report within a certain time under certain circumstances; requiring the
- 6 Department to provide certain notice to an individual who files a certain
- amended report; repealing the requirement that an individual submit a petition
- 8 for review to the Department to appeal personal property assessments under
- 9 certain circumstances; and generally relating to authorizing individuals to file
- amended property tax reports.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Tax Property
- 13 Section 8-415, 14-510(a), 14-512(a), 14-906(b), and 14-915
- 14 Annotated Code of Maryland
- 15 (2001 Replacement Volume and 2001 Supplement)
- 16 BY adding to
- 17 Article Tax Property
- 18 Section 11-103
- 19 Annotated Code of Maryland
- 20 (2001 Replacement Volume and 2001 Supplement)
- 21 BY repealing
- 22 Article Tax Property
- 23 Section 14-505
- 24 Annotated Code of Maryland
- 25 (2001 Replacement Volume and 2001 Supplement)
- 26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 27 MARYLAND, That the Laws of Maryland read as follows:

34

35 assessment.

HOUSE BILL 386 1 **Article - Tax - Property** 2 8-415. 3 The owner of property may submit a petition for review: 4 (1) for real property, as provided by § 14-503(a) of this article; and (2) for personal property, as provided by [§§ 14-503(b) and 14-505] § 5 6 14-503(B) of this article. 7 11-103. 8 (A) IF A PERSON WHO HAS FILED A REPORT UNDER THIS TITLE DETERMINES 9 THAT INFORMATION WAS NOT REPORTED ACCURATELY, THAT PERSON MAY FILE AN 10 AMENDED REPORT WITHIN 3 YEARS AFTER THE APRIL 15TH THAT THE ORIGINAL 11 REPORT WAS DUE. 12 (B) A PERSON FILING AN AMENDED REPORT UNDER SUBSECTION (A) OF THIS 13 SECTION MAY ONLY CLAIM AN EXEMPTION FOR PERSONAL PROPERTY USED IN 14 MANUFACTURING IF AN EXEMPTION FOR PERSONAL PROPERTY USED IN THE 15 MANUFACTURING PROCESS WAS PREVIOUSLY APPROVED FOR THAT TAXABLE YEAR 16 PURSUANT TO §§ 7-104(B) AND 7-225(D) OF THIS ARTICLE. AFTER REVIEWING AN AMENDED REPORT, THE DEPARTMENT SHALL 17 (C) 18 EITHER: 19 (1) ISSUE A CORRECTED ASSESSMENT NOTICE; OR NOTIFY THE PERSON THAT THE ORIGINAL ASSESSMENT NOTICE 20 (2)21 WILL NOT BE ADJUSTED. 22 A PERSON WHO RECEIVES A NOTICE UNDER SUBSECTION (C) OF THIS 23 SECTION MAY APPEAL THE CHANGE IN VALUE OR CLASSIFICATION RELATED TO THE 24 CORRECTED INFORMATION OR THE DENIAL NOTICE AS PROVIDED IN § 14-504 OF 25 THIS ARTICLE. 26 [14-505. 27 For personal property assessed by the Department, the owner who (a) 28 reported cost or market information for the personal property to the Department but 29 failed to report the information accurately may appeal the value or classification of 30 the personal property set forth in the notice of assessment by submitting a petition for 31 review to the Department if: 32 the owner claims that the personal property is valued at a higher 33 value than if the information had been reported accurately; and

the appeal is made within 3 years of the date of the notice of



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- 1 (4) [1 year from the date of finality of the erroneous assessment of 2 personal property for which a claim is submitted under § 14-906(b)(1)(i) of this 3 subtitle; or
- 4 (5)] 1 year from the date that the tax rate is fixed for the taxable year 5 following an advance payment of property tax on personal property for which a claim 6 is submitted under [§ 14-906(b)(1)(ii)] § 14-906(B) of this subtitle.
- 7 SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding § 8 11-103(a) of the Tax Property Article as enacted under Section 1 of this Act, a 9 person may file an amended personal property report that was originally due on April 10 15, 1999 on or before April 15, 2003.
- 11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 12 July 1, 2002.