

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL NO. 481

(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike “and Leopold” and substitute “Leopold, and Bohanan”; in line 2, strike “Transfer of Property” and substitute “Homestead Tax Credit - Eligibility”; strike beginning with “providing” in line 3 down through “recorded” in line 4 and substitute “establishing certain application procedures for the homestead property tax credit under certain circumstances; establishing the date of transfer of certain property; requiring the State Department of Assessments and Taxation to deny a certain application under certain circumstances; and generally relating to eligibility for the homestead property tax credit”; in line 5, strike “adding to” and substitute “repealing and reenacting, with amendments,”; and in line 7, strike “1-306” and substitute “9-105(d)”.

AMENDMENT NO. 2

Strike in their entirety lines 13 through 15, inclusive, and substitute:

“9-105.

(d) (1) The Department shall authorize and the State, a county, or a municipal corporation shall grant a property tax credit under this section for a taxable year unless during the previous taxable year:

(i) the dwelling was transferred for consideration to new ownership;

(ii) the value of the dwelling was increased due to a change in the zoning classification of the dwelling initiated or requested by the homeowner or anyone having an interest in the property;

(iii) the use of the dwelling was changed substantially; or

(Over)

(iv) the assessment of the dwelling was clearly erroneous due to an error in calculation or measurement of improvements on the real property.

(2) A homeowner must actually reside in the dwelling by July 1 of the taxable year for which the property tax credit under this section is to be allowed.

(3) A homeowner may claim a property tax credit under this section for only 1 dwelling.

(4) If a property tax credit under this section is less than \$1 in any taxable year, the tax credit may not be granted.

(5) (I) IF THE DWELLING WAS TRANSFERRED FOR CONSIDERATION TO NEW OWNERSHIP ON OR AFTER JANUARY 1 BUT BEFORE THE BEGINNING OF THE NEXT TAXABLE YEAR AND THE PROPERTY HAS NOT BEEN TRANSFERRED ON THE ASSESSMENT ROLLS PRIOR TO THE BEGINNING OF THE NEXT TAXABLE YEAR:

1. THE NEW OWNER MAY SUBMIT A WRITTEN APPLICATION FOR THE PROPERTY TAX CREDIT UNDER THIS SECTION TO THE DEPARTMENT WITHIN 60 DAYS AFTER THE DATE OF THE TRANSFER; AND

2. IF THE DEED IS RECORDED ON OR AFTER JULY 1 OF THE NEXT TAXABLE YEAR:

A. THE APPLICANT SHALL SUBMIT WITH THE WRITTEN APPLICATION A COPY OF THE EXECUTED DEED EVIDENCING THE DATE OF THE TRANSFER; AND

B. IF THE APPLICANT FAILS TO SUBMIT A COPY OF THE EXECUTED DEED AS REQUIRED UNDER ITEM A OF THIS ITEM, THE DEPARTMENT SHALL DENY THE APPLICATION.

(II) THE DATE OF THE TRANSFER UNDER THIS PARAGRAPH IS THE EFFECTIVE DATE OF THE DEED AS DESCRIBED UNDER § 3-201 OF THE REAL PROPERTY ARTICLE.”.

