

ENROLLED BILL

-- *Ways and Means/Budget and Taxation* --

Introduced by ~~Delegate Kullen~~ **Delegates Kullen, Bartlett, Boschert, Bozman, Cardin, Crvor, C. Davis, Elmore, Gilleland, Goodwin, Gordon, Healey, Heller, Hixson, Howard, Kaiser, King, Marriott, McKee, Myers, Patterson, Ramirez, and Ross**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Recordation Tax and State Transfer Tax - Exemption for Transfer to Brother**
3 **or Sister**

4 FOR the purpose of exempting from recordation tax and State transfer tax certain
5 instruments of writing transferring property from a transferor to a brother or
6 sister, *stepbrother or stepsister*; and generally relating to an exemption from
7 recordation tax and State transfer tax for certain instruments of writing
8 transferring property from a transferor to certain relatives.

9 BY repealing and reenacting, with amendments,
10 Article - Tax - Property
11 Section 12-108(c)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2004 Supplement)

1 BY repealing and reenacting, without amendments,
 2 Article - Tax - Property
 3 Section 13-207(a)(2)
 4 Annotated Code of Maryland
 5 (2001 Replacement Volume and 2004 Supplement)

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

8 **Article - Tax - Property**

9 12-108.

10 (c) When property is transferred subject to a mortgage or deed of trust, the
 11 recordation tax does not apply to the principal amount of debt assumed by the
 12 transferee, if the instrument of writing transfers the property from the transferor to
 13 a:

- 14 (1) spouse or former spouse;
- 15 (2) son, daughter, stepson, or stepdaughter;
- 16 (3) parent or stepparent;
- 17 (4) son-in-law, daughter-in-law, stepson-in-law, or
 18 stepdaughter-in-law;
- 19 (5) parent-in-law or stepparent-in-law; [or]
- 20 (6) ~~BROTHER OR SISTER~~, STEPBROTHER, OR STEPSISTER; OR
- 21 [(6)] (7) grandchild or stepgrandchild.

22 13-207.

23 (a) An instrument of writing is not subject to transfer tax to the same extent
 24 that it is not subject to recordation tax under:

- 25 (2) § 12-108(c) of this article (Transfer between relatives);

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 27 July 1, 2005.

