
By: **Delegates Gordon, Cardin, and King**
 Introduced and read first time: February 9, 2006
 Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Recordation Tax - Distribution of Revenues to Municipal Corporation**

3 FOR the purpose of requiring a county to remit county recordation tax revenues to a
4 municipal corporation if the instrument of writing is for property located within
5 the boundaries of a municipal corporation; and generally relating to the local
6 recordation tax.

7 BY repealing and reenacting, with amendments,
8 Article - Tax - Property
9 Section 12-110
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2005 Supplement)

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

14 **Article - Tax - Property**

15 12-110.

16 (a) (1) Except as provided in subsections (c), (D), and [(d)] (E) of this section,
17 in any county except Prince George's, the recordation tax collected by the collector or
18 the clerk of the circuit court shall be paid to the governing body of the county in which
19 the recordation tax was collected.

20 (2) In Prince George's County the recordation tax is both paid to and
21 collected by the Director of Finance of Prince George's County.

22 (b) (1) A person who offers for recordation an instrument of writing for
23 property located in 2 or more counties shall submit to the collector or the clerk of the
24 circuit court for each county a certificate showing the apportionment of the total value
25 of the property between each of the counties.

26 (2) For an instrument of writing recorded under paragraph (1) of this
27 subsection, the recordation tax in each county in which the property is located is:

1 (i) payable at the rate of tax that applies in the county; and

2 (ii) based on the ratio that the value of the property in that county
3 bears to the value of the property in all counties.

4 (c) Recordation tax collected under § 12-103(c) of this title shall be paid to the
5 Comptroller for deposit in the General Fund of the State.

6 (d) The recordation tax collected under § 12-103(d) of this title shall be paid to
7 the Comptroller. After deduction of the cost to the Department of collecting the tax,
8 the Comptroller shall distribute the revenue to the counties in the ratio that the
9 recordation tax collected in the prior fiscal year in each county bears to the total
10 recordation tax collected in all counties in that year.

11 (E) FOR AN INSTRUMENT OF WRITING FOR PROPERTY LOCATED WITHIN THE
12 BOUNDARIES OF A MUNICIPAL CORPORATION, A COUNTY SHALL REMIT THE COUNTY
13 RECORDATION TAX REVENUES COLLECTED TO THE MUNICIPAL CORPORATION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2006.