
By: **Delegates Kaiser, Gordon, and Cardin**
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Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 26, 2006

CHAPTER _____

1 AN ACT concerning

2 **Homestead Property Tax Credit - Eligibility Verification**

3 FOR the purpose of requiring certain residents to include on the resident's Maryland
 4 income tax return certain information concerning the resident's principal
 5 residence; requiring that to qualify for the homestead property tax credit, a
 6 dwelling shall be identified as the homeowner's principal residence on a certain
 7 Maryland income tax return or by the homeowner filing a certain application
 8 accompanied by certain proof of residence; limiting the application of certain
 9 provisions of this Act for a certain taxable year to certain counties selected by
 10 the Department of Assessments and Taxation for participation in a certain pilot
 11 program; and generally relating to verification of eligibility for the homestead
 12 property tax credit.

13 BY repealing and reenacting, with amendments,
 14 Article - Tax - General
 15 Section 10-804(d)
 16 Annotated Code of Maryland
 17 (2004 Replacement Volume and 2005 Supplement)

18 BY adding to
 19 Article - Tax - Property
 20 Section 9-105(c)(5)
 21 Annotated Code of Maryland
 22 (2001 Replacement Volume and 2005 Supplement)

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

3 **Article - Tax - General**

4 10-804.

5 (d) Each resident shall include on the income tax return of the resident:

6 (1) for an individual other than a fiduciary[.]:

7 (I) the name of the county and municipal corporation, if any, where
8 the resident resides; AND

9 (II) IF THE INDIVIDUAL IS A HOMEOWNER ELIGIBLE FOR THE
10 HOMESTEAD PROPERTY TAX CREDIT UNDER § 9-105 OF THE TAX - PROPERTY
11 ARTICLE, THE ADDRESS AND PROPERTY IDENTIFICATION NUMBER ASSIGNED BY
12 THE DEPARTMENT OF ASSESSMENTS AND TAXATION FOR THE INDIVIDUAL'S
13 PRINCIPAL RESIDENCE; and

14 (2) for a personal representative, the name of the county where the
15 decedent was domiciled on the date of the decedent's death; or

16 (3) for a fiduciary other than a personal representative, the name of:

17 (i) the county where the trust is principally administered; or

18 (ii) if the trust is not principally administered in the State, the
19 county to which the trust is otherwise principally connected.

20 **Article - Tax - Property**

21 9-105.

22 (c) (5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
23 PARAGRAPH, TO QUALIFY FOR THE PROPERTY TAX CREDIT UNDER THIS SECTION
24 FOR ANY TAXABLE YEAR, A DWELLING SHALL BE IDENTIFIED AS THE HOMEOWNER'S
25 PRINCIPAL RESIDENCE ON THE HOMEOWNER'S MARYLAND INCOME TAX RETURN AS
26 REQUIRED UNDER § 10-804(D) OF THE TAX - GENERAL ARTICLE FOR THE CALENDAR
27 YEAR THAT IMMEDIATELY PRECEDES THE TAXABLE YEAR.

28 (II) IF THE HOMEOWNER IS NOT REQUIRED TO FILE A MARYLAND
29 INCOME TAX RETURN FOR THE CALENDAR YEAR THAT IMMEDIATELY PRECEDES THE
30 TAXABLE YEAR, THE HOMEOWNER SHALL VERIFY THAT THE DWELLING IS THE
31 HOMEOWNER'S PRINCIPAL RESIDENCE BY FILING AN APPLICATION ACCOMPANIED
32 BY PROOF OF RESIDENCE SATISFACTORY TO THE DEPARTMENT ON OR BEFORE
33 APRIL 15 IMMEDIATELY PRECEDING THE TAXABLE YEAR.

34 SECTION 2. AND BE IT FURTHER ENACTED, That, for the taxable year that
35 begins July 1, 2007, the provisions of § 9-105(c)(5) of the Tax - Property Article, as

1 enacted by Section 1 of this Act, shall apply only in two counties selected by the
2 Department of Assessments and Taxation for participation in a pilot program for
3 implementation of Section 1 of this Act. For taxable years beginning on or after July
4 1, 2008, the provisions of § 9-105(c)(5) of the Tax - Property Article, as enacted by
5 Section 1 of this Act, shall apply statewide.

6 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of
7 this Act, this Act shall take effect October 1, 2006.