

# HOUSE BILL 581

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71r2262

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By: **Delegates Pena-Melnyk, Barnes, Ali, Benson, Braveboy, Bronrott, Conaway, Davis, Feldman, Frush, Gaines, Griffith, Healey, Holmes, Hubbard, Hucker, Ivey, Kaiser, Kramer, Kullen, Lawton, Lee, Levi, Manno, Mizeur, Montgomery, Niemann, Proctor, Ramirez, Robinson, Ross, Valderrama, Vallario, Vaughn, Walker, and Weldon**

Introduced and read first time: February 8, 2007

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Municipal Corporation Property Tax – Property Used for Student Housing**

3 FOR the purpose of providing that certain property that is leased from the State and  
4 used to provide certain student housing is subject to municipal corporation  
5 property tax unless exempted in full or in part by the governing body of the  
6 municipal corporation; providing an exception to a certain property tax  
7 exemption for certain property that is leased from the State and used to provide  
8 certain student housing; providing for the application of this Act; and generally  
9 relating to a property tax exemption for certain property that is leased from the  
10 State and used to provide certain student housing.

11 BY repealing and reenacting, with amendments,  
12 Article – Tax – Property  
13 Section 7-109 and 7-211(g)  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume and 2006 Supplement)

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

18 **Article – Tax – Property**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 7-109.

2 (a) The [personal] property described in §§ **7-211(G)**, 7-222, 7-225, and  
3 7-226 of this title is subject to the municipal corporation property tax unless exempted  
4 in full or in part by the governing body of the municipal corporation by law.

5 (b) If any [personal] property referred to in subsection (a) of this section is  
6 exempt from county property tax but is subject to municipal corporation property tax,  
7 the Department or the supervisor shall provide the municipal corporation with the  
8 assessment of the [personal] property.

9 (c) A municipal corporation that takes any action under subsection (a) of this  
10 section shall submit a report of its action to the Department. If the Department  
11 receives a copy of the law authorizing the action on or before May 1, the action shall be  
12 effective for the taxable year following the date the law is enacted.

13 7-211.

14 (g) (1) In this subsection, “public senior higher education institution” has  
15 the meaning stated in § 10-101 of the Education Article.

16 (2) [An] **EXCEPT AS PROVIDED IN § 7-109 OF THIS TITLE, AN**  
17 interest of a person in property of the State is not subject to property tax if the person  
18 holds an interest in the property under a lease agreement with the State to use the  
19 property to provide housing to students of public senior higher education institutions.

20 (3) A public senior higher education institution may negotiate a  
21 payment-in-lieu-of-taxes agreement with the municipal corporation or county in  
22 which the property specified in paragraph (2) of this subsection is located.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 June 1, 2007, and shall be applicable to all taxable years beginning after June 30,  
25 2007.