

HOUSE BILL 1470

L4

8lr0798

By: **Delegates Frush, Barnes, and Pena-Melnyk**

Introduced and read first time: February 15, 2008

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Special Taxing Districts - Residential Property - Prohibition - Property Tax**
3 **Credit**

4 FOR the purpose of prohibiting a county from creating a special taxing district that
5 includes residential property or modifying an existing special taxing district to
6 include residential property; requiring a county to grant a certain property tax
7 credit against the county property tax imposed on residential property within a
8 special taxing district; defining certain terms; providing for the application of
9 this Act; and generally relating to special taxing districts and residential
10 property.

11 BY adding to
12 Article 24 - Political Subdivisions - Miscellaneous Provisions
13 Section 9-1302
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2007 Supplement)

16 BY adding to
17 Article - Tax - Property
18 Section 9-110
19 Annotated Code of Maryland
20 (2007 Replacement Volume)

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

23 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

24 **9-1302.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
2 MEANINGS INDICATED.

3 (2) “RESIDENTIAL PROPERTY” MEANS PROPERTY THAT, UNDER
4 THE APPLICABLE ZONING LAW, IS DESIGNATED FOR:

5 (I) RESIDENTIAL USE; OR

6 (II) MULTIPLE USES, INCLUDING RESIDENTIAL USE.

7 (3) “SPECIAL TAXING DISTRICT” MEANS A DEFINED GEOGRAPHIC
8 AREA ESTABLISHED BY A COUNTY WHERE SPECIAL TAXES ARE IMPOSED TO
9 FINANCE INFRASTRUCTURE IMPROVEMENTS OR SERVICES NOT FUNDED
10 THROUGH GENERAL TAX REVENUE.

11 (B) NOTWITHSTANDING ANY OTHER LAW, A COUNTY MAY NOT:

12 (1) CREATE A SPECIAL TAXING DISTRICT THAT INCLUDES
13 RESIDENTIAL PROPERTY; OR

14 (2) MODIFY AN EXISTING SPECIAL TAXING DISTRICT TO INCLUDE
15 RESIDENTIAL PROPERTY.

16 Article - Tax - Property

17 **9-110.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
19 MEANINGS INDICATED.

20 (2) “RESIDENTIAL PROPERTY” MEANS PROPERTY THAT, UNDER
21 THE APPLICABLE ZONING LAW, IS DESIGNATED FOR:

22 (I) RESIDENTIAL USE; OR

23 (II) MULTIPLE USES, INCLUDING RESIDENTIAL USE.

24 (3) “SPECIAL TAXING DISTRICT” MEANS A DEFINED GEOGRAPHIC
25 AREA ESTABLISHED BY A COUNTY WHERE SPECIAL TAXES ARE IMPOSED TO
26 FINANCE INFRASTRUCTURE IMPROVEMENTS OR SERVICES NOT FUNDED
27 THROUGH GENERAL TAX REVENUE.

1 (4) **“SPECIAL TAXING DISTRICT ASSESSMENT” MEANS THE**
2 **ADDITIONAL TAX IMPOSED ON PROPERTY BECAUSE IT IS LOCATED WITHIN A**
3 **SPECIAL TAXING DISTRICT.**

4 **(B) THE GOVERNING BODY OF A COUNTY SHALL GRANT A TAX CREDIT**
5 **UNDER THIS SECTION AGAINST THE COUNTY PROPERTY TAX IMPOSED ON**
6 **RESIDENTIAL PROPERTY LOCATED WITHIN A SPECIAL TAXING DISTRICT.**

7 **(C) THE AMOUNT OF THE PROPERTY TAX CREDIT UNDER THIS SECTION**
8 **SHALL EQUAL 100% OF THE AMOUNT OF THE SPECIAL TAXING DISTRICT**
9 **ASSESSMENT IMPOSED ON RESIDENTIAL PROPERTY LOCATED WITHIN A**
10 **SPECIAL TAXING DISTRICT.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2008, and shall be applicable to all taxable years beginning after June 30,
13 2008.