

SENATE BILL 561

Q1, L1

8lr2835
CF HB 676

By: **Senator Madaleno**

Introduced and read first time: February 1, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **County Property Taxes - Classes of Property and Special Rates**

3 FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the
4 governing body of a county to impose property tax on those classes of property
5 that it selects to be subject to property tax; providing that the county property
6 tax is imposed only on assessments made under certain provisions of law;
7 authorizing the Mayor and City Council of Baltimore City or the governing body
8 of a county to set special rates for any class of property that is subject to the
9 county property tax; providing a certain exception to certain requirements
10 regarding county property tax rates; repealing certain obsolete provisions of
11 law; providing for the application of this Act; and generally relating to authority
12 for Baltimore City and the counties to select certain classes of property and set
13 certain special tax rates for purposes of county property taxation.

14 BY repealing

15 Article – Tax – Property
16 Section 6–202
17 Annotated Code of Maryland
18 (2007 Replacement Volume)

19 BY repealing and reenacting, with amendments,

20 Article – Tax – Property
21 Section 6–203 and 6–302
22 Annotated Code of Maryland
23 (2007 Replacement Volume)

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

26 **Article – Tax – Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [6-202.

2 The Mayor and City Council of Baltimore City or the governing body of a county
3 may impose property tax on the assessment of property that is subject to that county's
4 property tax.]

5 6-203.

6 (a) Except as otherwise provided in this article, the **MAYOR AND CITY**
7 **COUNCIL OF BALTIMORE CITY OR THE** governing body of a **COUNTY OR OF A**
8 municipal corporation may impose [municipal corporation] property tax on those
9 classes of property that it selects to be subject to [municipal corporation] property tax.

10 (b) The **COUNTY PROPERTY TAX OR** municipal corporation property tax is
11 imposed only on assessments made under Title 8 of this article.

12 6-302.

13 (a) (1) Except as otherwise provided in this section and after complying
14 with § 6-305 of this subtitle, in each year after the date of finality and before the
15 following July 1, the Mayor and City Council of Baltimore City or the governing body
16 of each county annually shall set the tax rate for the next taxable year on all
17 assessments of property subject to that county's property tax.

18 (2) **IF NOT OTHERWISE PROHIBITED BY THIS ARTICLE, THE**
19 **MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF**
20 **A COUNTY MAY SET SPECIAL RATES FOR ANY CLASS OF PROPERTY THAT IS**
21 **SUBJECT TO THE COUNTY PROPERTY TAX.**

22 (b) (1) Except as provided in [subsection (c) of this section,] §§ 6-305 and
23 6-306 of this subtitle [and § 6-203 of this title], **UNLESS OTHERWISE PROVIDED BY**
24 **THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING**
25 **BODY OF A COUNTY:**

26 (i) there shall be a single county property tax rate for all real
27 property subject to county property tax except for operating real property described in
28 § 8-109(c) of this article; and

29 (ii) the county tax rate applicable to personal property and the
30 operating real property described in § 8-109(c) of this article for taxable years
31 beginning after June 30, 2001 shall be 2.5 times the rate for real property.

32 (2) Paragraph (1) of this subsection does not affect a special rate
33 prevailing in a taxing district or part of a county.

1 [(c) (1) Intangible personal property is subject to county property tax as
2 otherwise provided in this title at a rate set annually, if:

3 (i) the intangible personal property has paid interest or
4 dividends during the 12 months that precede the date of finality;

5 (ii) interest or dividends were withheld on the intangible
6 personal property during the 12 months that precede the date of finality to avoid the
7 tax under this subsection;

8 (iii) the intangible personal property consists of newly issued
9 bonds, certificates of indebtedness, or evidences of debt on which interest is not in
10 default; or

11 (iv) a stock dividend has been declared on the intangible
12 personal property during the 12 months that precede the date of finality.

13 (2) The county tax rate for the intangible personal property is 30 cents
14 for each \$100 of assessment.]

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2008, and shall be applicable to all taxable years beginning after June 30,
17 2009.