

# SENATE BILL 453

Q3

9lr2221  
CF HB 465

---

By: **Senators Peters, King, and Muse**

Introduced and read first time: February 4, 2009

Assigned to: Budget and Taxation

---

Committee Report: Favorable

Senate action: Adopted

Read second time: March 27, 2009

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Income Tax – Payments – Sale of Real Property by Nonresidents**

3 FOR the purpose of altering the rate of tax that must be paid to the clerk of the circuit  
4 court for a county or to the Department of Assessments and Taxation before the  
5 recording of certain deeds for the sale of certain property; and generally relating  
6 to certain requirements for certain amounts to be paid to the clerk of the circuit  
7 court for a county or to the Department of Assessments and Taxation prior to  
8 the recording of certain deeds for the sale of certain property.

9 BY repealing and reenacting, with amendments,  
10 Article – Tax – General  
11 Section 10–912(c)  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2008 Supplement)

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

16 **Article – Tax – General**

17 10–912.

18 (c) Except as otherwise provided in this section, in a sale or exchange of real  
19 property and associated tangible personal property owned by a nonresident or  
20 nonresident entity, the deed or other instrument of writing that effects a change of  
21 ownership on the assessment books under the Tax – Property Article may not be

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 recorded with the clerk of the circuit court for a county or filed with the Department of  
2 Assessments and Taxation unless payment is made to the clerk of the circuit court for  
3 a county or the Department of Assessments and Taxation in an amount equal to:

4 (1) [the sum of the rate of the tax imposed under § 10–106.1 of this  
5 title and the top marginal State income tax rate for individuals under § 10–105(a) of  
6 this title, applied to] **7.5% OF** the total payment to a nonresident; or

7 (2) [the rate of the tax for a corporation under § 10–105(b) of this title]  
8 **8.25%** of the total payment to a nonresident entity.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2009.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.