

HOUSE BILL 262

Q2

11r1746
CF SB 330

By: **Frederick County Delegation**

Introduced and read first time: January 31, 2011

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2011

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – ~~Public~~ Nonprofit School Lease – Property Tax Credit**

3 FOR the purpose of requiring rather than authorizing Frederick County to grant, by
4 law, a property tax credit for real property leased to ~~the Frederick County~~
5 ~~Board of County Commissioners or to the Frederick County Board of Education~~
6 a nonprofit school and used exclusively for ~~public school~~ primary or secondary
7 educational purposes; requiring a lessor of real property eligible for a certain
8 tax credit to reduce the amount of taxes for which the tenant is contractually
9 liable under the lease; and providing for the application of this Act.

10 BY repealing and reenacting, with amendments,
11 Article – Tax – Property
12 Section ~~9-312(d)~~ 9-312(e)
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2010 Supplement)

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

17 **Article – Tax – Property**

18 9-312.

19 ~~(d) The governing body of Frederick County and of a municipal corporation~~
20 ~~in Frederick County [may] SHALL grant, by law, a property tax credit under this~~

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 ~~section against the county or municipal corporation property tax imposed on real~~
2 ~~property that is:~~

3 ~~(1) leased to the Frederick County Board of County Commissioners or~~
4 ~~to the Frederick County Board of Education; and~~

5 ~~(2) used exclusively for public school educational purposes.~~

6 (e) **(1)** The governing body of Frederick County and of a municipal
7 corporation in Frederick County [may] SHALL grant, by law, a property tax credit
8 under this section against the county or municipal corporation property tax imposed
9 on real property that is:

10 [(1)] (I) leased to a nonprofit school; and

11 [(2)] (II) used exclusively for primary or secondary educational
12 purposes.

13 **(2) THE LESSOR OF REAL PROPERTY ELIGIBLE FOR A CREDIT**
14 **UNDER THIS SUBSECTION SHALL REDUCE THE AMOUNT OF TAXES FOR WHICH A**
15 **TENANT IS CONTRACTUALLY LIABLE UNDER THE LEASE AGREEMENT BY THE**
16 **AMOUNT OF ANY CREDIT ALLOWED UNDER THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 June 1, 2011, and shall be applicable to all taxable years beginning after June 30,
19 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.