

HOUSE BILL 822

Q2

11r2092

By: **Delegates Haynes, Mitchell, and Stukes**
Introduced and read first time: February 11, 2011
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **The Restoring and Sustaining Baltimore City Communities Act of 2011**

3 FOR the purpose of requiring the Mayor and City Council of Baltimore City to grant,
4 by law, a certain property tax credit against the property tax imposed on certain
5 property located in certain communities in Baltimore City; establishing the
6 amount and duration of the property tax credit; providing for the eligibility
7 requirements of the property tax credit; requiring the Mayor and City Council of
8 Baltimore City to provide certain procedures for granting the property tax
9 credit; defining certain terms; providing for the application of this Act; and
10 generally relating to a property tax credit in Baltimore City.

11 BY repealing and reenacting, without amendments,
12 Article – Tax – Property
13 Section 9–304(c)(1) and (d)(1)(i) and (ii)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2010 Supplement)

16 BY adding to
17 Article – Tax – Property
18 Section 9–304(g)
19 Annotated Code of Maryland
20 (2007 Replacement Volume and 2010 Supplement)

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

23 **Article – Tax – Property**

24 9–304.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(c) (1) In this subsection, “vacant dwelling” means residential real property that:

(i) contains no more than four dwelling units; and

(ii) 1. has been cited as vacant and abandoned on a housing or building violation notice for 1 year; or

2. has been owned by the Mayor and City Council of Baltimore City for 1 year and is in need of substantial repair to comply with applicable city codes.

(d) (1) (i) In this subsection the following words have the meanings indicated.

(ii) 1. “Newly constructed dwelling” means residential real property that has not been previously occupied since its construction and for which the building permit for construction was issued on or after October 1, 1994.

2. “Newly constructed dwelling” includes a “vacant dwelling” as defined in subsection (c)(1) of this section that has been rehabilitated in compliance with applicable local laws and regulations and has not been previously occupied since the rehabilitation.

(G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “NEWLY CONSTRUCTED DWELLING” HAS THE MEANING STATED IN SUBSECTION (D) OF THIS SECTION.

(III) “VACANT DWELLING” HAS THE MEANING STATED IN SUBSECTION (C) OF THIS SECTION.

(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE COUNTY PROPERTY TAX IMPOSED ON REAL PROPERTY THAT:

(I) IS LOCATED IN THE HARLEM PARK, PENNSYLVANIA AVENUE, OR POPPLETON COMMUNITY; AND

(II) IS OWNED BY QUALIFYING OWNERS OF A VACANT OR NEWLY CONSTRUCTED DWELLING.

(3) A PROPERTY TAX CREDIT GRANTED UNDER THIS SUBSECTION SHALL BE:

1 **(I) 100% OF THE PROPERTY TAX IMPOSED FOR THE FIRST 5**
2 **TAXABLE YEARS IN WHICH THE PROPERTY QUALIFIES FOR THE TAX CREDIT;**

3 **(II) 50% OF THE PROPERTY TAX IMPOSED FOR THE NEXT 10**
4 **TAXABLE YEARS IN WHICH THE PROPERTY QUALIFIES FOR THE TAX CREDIT;**

5 **(III) 34% FOR THE SIXTEENTH TAXABLE YEAR IN WHICH THE**
6 **PROPERTY QUALIFIES FOR THE TAX CREDIT;**

7 **(IV) 16% FOR THE SEVENTEENTH TAXABLE YEAR IN WHICH**
8 **THE PROPERTY QUALIFIES FOR THE TAX CREDIT; AND**

9 **(V) 0% FOR EACH TAXABLE YEAR THEREAFTER.**

10 **(4) OWNERS OF VACANT OR NEWLY CONSTRUCTED DWELLINGS**
11 **MAY QUALIFY FOR THE TAX CREDIT UNDER THIS SUBSECTION BY:**

12 **(I) 1. A. SUBSTANTIALLY REHABILITATING A**
13 **VACANT DWELLING IN COMPLIANCE WITH THE CODE AND LAWS APPLIED TO**
14 **DWELLINGS; AND**

15 **B. OCCUPYING THE DWELLING AFTER**
16 **REHABILITATION AS THEIR PRINCIPAL RESIDENCE; OR**

17 **2. A. PURCHASING A NEWLY CONSTRUCTED**
18 **DWELLING; AND**

19 **B. OCCUPYING THE NEWLY CONSTRUCTED**
20 **DWELLING AS THEIR PRINCIPAL RESIDENCE; AND**

21 **(II) FILING A STATE INCOME TAX RETURN DURING THE**
22 **PERIOD OF THE TAX CREDIT AS A RESIDENT OF BALTIMORE CITY.**

23 **(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL**
24 **PROVIDE FOR PROCEDURES NECESSARY AND APPROPRIATE FOR THE**
25 **SUBMISSION OF AN APPLICATION FOR AND THE GRANTING OF A PROPERTY TAX**
26 **CREDIT UNDER THIS SUBSECTION.**

27 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
28 **June 1, 2011, and shall be applicable to all taxable years beginning on or after June**
29 **30, 2011.**