

HOUSE BILL 1472

L1, Q1
HB 676/08 – W&M

2lr3421

By: **Delegate Carr**

Rules suspended

Introduced and read first time: March 15, 2012

Assigned to: Rules and Executive Nominations

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; setting a certain limit on the rate set for certain property;
10 requiring that certain revenue be distributed to a certain transportation fund;
11 providing for a certain exception to certain requirements regarding county
12 property tax rates; repealing certain obsolete provisions of law; providing for the
13 application of this Act; and generally relating to authority for Baltimore City
14 and the counties to select certain classes of property and set certain special tax
15 rates for purposes of county property taxation.

16 BY repealing

17 Article – Tax – Property

18 Section 6–202

19 Annotated Code of Maryland

20 (2007 Replacement Volume and 2011 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Tax – Property

23 Section 6–203 and 6–302

24 Annotated Code of Maryland

25 (2007 Replacement Volume and 2011 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Tax – Property**2 **[6–202.**

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

6 **6–203.**

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

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

13 **6–302.**

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

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

24 **(II) THE RATE SET FOR COMMERCIAL REAL PROPERTY MAY**
25 **NOT BE MORE THAN 1.25 TIMES THE RATE SET FOR RESIDENTIAL REAL**
26 **PROPERTY.**

27 **(III) SUBJECT TO THE ANNUAL BUDGET AND**
28 **APPROPRIATION PROCESSES OF EACH COUNTY AND THE CITY OF BALTIMORE,**
29 **ANY REVENUE ATTRIBUTABLE TO A SPECIAL RATE FOR ANY CLASS OF**
30 **PROPERTY SHALL BE DISTRIBUTED TO THE TRANSPORTATION FUND OF THE**
31 **COUNTY.**

32 (b) (1) Except as provided in [subsection (c) of this section,] §§ 6–305 and
33 6–306 of this subtitle [and § 6–203 of this title], **UNLESS OTHERWISE PROVIDED BY**

1 **THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING**
2 **BODY OF A COUNTY:**

3 (i) there shall be a single county property tax rate for all real
4 property subject to county property tax except for operating real property described in
5 § 8–109(c) of this article; and

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

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

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

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

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

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

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

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2012, and shall be applicable to all taxable years beginning after June 30,
28 2012.