

SENATE BILL 666

Q2

(2lr2363)

ENROLLED BILL

— Budget and Taxation / Ways and Means —

Introduced by **Carroll County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Property Tax Credit for Housing Units at Independent**
3 **Living Retirement Communities**

4 FOR the purpose of authorizing the governing body of Carroll County or of a municipal
5 corporation in Carroll County to grant, by law, a tax credit against the county or
6 municipal corporation property tax imposed on certain housing units at
7 independent living retirement communities; authorizing the governing body of
8 Carroll County or of a municipal corporation in Carroll County to provide, by
9 law, for certain provisions necessary to carry out the tax credit; specifying that
10 the full benefit of the tax credit be assigned to certain residents; providing for
11 the application of this Act; defining a certain term; and generally relating to a
12 property tax credit in Carroll County for certain housing units in certain
13 independent living retirement communities.

14 BY adding to

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.

Italics indicate opposite chamber / conference committee amendments.



1 Article – Tax – Property
 2 Section 9–308(f)
 3 Annotated Code of Maryland
 4 (2007 Replacement Volume and 2011 Supplement)

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

7 **Article – Tax – Property**

8 9–308.

9 (F) (1) ~~(F)~~ IN THIS SUBSECTION, “INDEPENDENT LIVING
 10 RETIREMENT COMMUNITY” MEANS A ~~CONTINUING CARE~~ COMMUNITY OR
 11 FACILITY FOR THE AGED THAT:

12 (I) 1. PROVIDES CONTINUING CARE AS DEFINED IN §
 13 10–401 OF THE HUMAN SERVICES ARTICLE;

14 2. IS LICENSED AS A RELATED INSTITUTION UNDER
 15 TITLE 19, SUBTITLE 3 OF THE HEALTH – GENERAL ARTICLE; ~~AND~~

16 3. IS CERTIFIED BY THE DEPARTMENT OF AGING;
 17 AND

18 4. IS EXEMPT FROM FEDERAL INCOME TAX UNDER §
 19 501(C)(3) OF THE INTERNAL REVENUE CODE OR IS OWNED OR OPERATED BY A
 20 PERSON THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF
 21 THE INTERNAL REVENUE CODE; OR

22 (II) OFFERS AN AGE-RESTRICTED LIFE OCCUPANCY
 23 AGREEMENT AND REQUIRES PAYMENT OF AN ENTRANCE FEE.

24 ~~(H) “INDEPENDENT LIVING RETIREMENT COMMUNITY”~~
 25 ~~INCLUDES ANY COMMUNITY OR FACILITY THAT OFFERS A LIFE OCCUPANCY~~
 26 ~~AGREEMENT.~~

27 (2) THE GOVERNING BODY OF CARROLL COUNTY OR OF A
 28 MUNICIPAL CORPORATION IN CARROLL COUNTY MAY GRANT, BY LAW, A TAX
 29 CREDIT AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX
 30 IMPOSED ON THAT PORTION OF THE REAL PROPERTY OWNED BY AN
 31 INDEPENDENT LIVING RETIREMENT COMMUNITY THAT IS USED AS HOUSING
 32 UNITS.

1 **(3) THE GOVERNING BODY OF CARROLL COUNTY OR OF A**
2 **MUNICIPAL CORPORATION IN CARROLL COUNTY MAY PROVIDE, BY LAW, FOR:**

3 **(I) THE AMOUNT AND DURATION OF THE TAX CREDIT**
4 **UNDER THIS SUBSECTION;**

5 **(II) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX**
6 **CREDIT UNDER THIS SUBSECTION;**

7 **(III) REGULATIONS AND PROCEDURES FOR THE**
8 **APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT**
9 **UNDER THIS SUBSECTION; AND**

10 **(IV) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE**
11 **TAX CREDIT UNDER THIS SUBSECTION.**

12 **(4) IF THE GOVERNING BODY OF CARROLL COUNTY OR OF A**
13 **MUNICIPAL CORPORATION IN CARROLL COUNTY AUTHORIZES A TAX CREDIT**
14 **UNDER THIS SUBSECTION, THE FULL BENEFIT OF THE TAX CREDIT SHALL BE**
15 **ASSIGNED TO RESIDENTS OF THE INDEPENDENT LIVING RETIREMENT**
16 **COMMUNITY.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 June 1, 2012, and shall be applicable to all taxable years beginning after June 30,
19 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.