

**SB0590/599536/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 590  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, Brochin, and Peters”; in line 3, after “with” insert “certain”; in line 4, after “value” insert “for certain taxable years”; strike beginning with “exempting” in line 5 down through “years;” in line 8 and substitute “requiring a person to annually make a certain application to the Department of Assessments and Taxation for a certain exemption by a certain date;”; in line 9, after “purpose;” insert “exempting a person under certain circumstances from submitting certain information that would otherwise be required; requiring the Department, by a certain date, to contract with a certain entity for a certain audit; requiring a certain report to be submitted to the General Assembly by a certain date; requiring the Governor to include funds in the State budget to cover the cost of a certain audit, not to exceed a certain amount; authorizing the Governor to introduce a certain deficiency appropriation at a certain time; defining a certain term; making certain provisions of this Act subject to a certain contingency;”; in the same line, strike “providing for the application of this Act;”; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 11-101

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “**EXCEPT**” in line 20 on page 1 down through “**ARTICLE**” in line 5 on page 2 and substitute:

(Over)

“IN THIS SUBSECTION, “TOTAL ASSESSED VALUE” MEANS, FOR EACH PERSON, THE PERSONAL PROPERTY ASSESSMENT THAT IS THE GREATER OF:

(1) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR THAT PERSON IN ALL COUNTIES; OR

(2) THE AGGREGATE ASSESSMENT OF PERSONAL PROPERTY FOR THAT PERSON IN ALL MUNICIPAL CORPORATIONS.

(B) FOR THE TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, AND EACH TAXABLE YEAR THEREAFTER, EXCEPT FOR OPERATING PROPERTY ASSESSED UNDER §§ 8-108 AND 8-109 OF THIS ARTICLE, A PERSON WHO OWNS OR LEASES PERSONAL PROPERTY WITH A TOTAL ASSESSED VALUE OF \$10,000 OR LESS IS EXEMPT FROM THE PERSONAL PROPERTY TAX”;

strike in their entirety lines 6 through 23, inclusive; in line 24, strike “(D)” and substitute “(C)”; in the same line, after “SHALL” insert “ANNUALLY”; in line 25, strike “(A)(1)” and substitute “(B) OF THIS SECTION AT THE TIME THE PERSON FILES THE REPORT REQUIRED UNDER § 11-101 OF THIS ARTICLE”; in the same line, strike “OF THIS SECTION”; in line 28, after “UNDER” insert “SUBSECTION (B) OF”; and after line 28, insert:

“11-101.

(a) On or before April 15 of each year, a person shall submit a report on personal property to the Department if:

(1) the person is a business trust, statutory trust, domestic corporation, limited liability company, limited liability partnership, or limited partnership;

(2) the person is a foreign corporation, foreign statutory trust, foreign limited liability company, foreign limited liability partnership, or foreign limited partnership registered or qualified to do business in the State; or

(3) the person owns or during the preceding calendar year owned property that is subject to property tax.

**(b) A PERSON WHO CERTIFIES IN AN ANNUAL REPORT SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION THAT THE PERSONAL PROPERTY OF THAT PERSON IS ELIGIBLE FOR THE EXEMPTION UNDER § 7-245 OF THIS ARTICLE MAY NOT BE REQUIRED TO SUBMIT THE PERSONAL PROPERTY INFORMATION THAT WOULD OTHERWISE BE REQUIRED IN THE REPORT.**

**(C) The report shall:**

(1) be in the form that the Department requires;

(2) be under oath as the Department requires; and

(3) contain the information that the Department requires.”.

**AMENDMENT NO. 3**

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 2 on page 3, inclusive, and substitute:

**“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, and in accordance with the requirements of procurement law under the State Finance and Procurement Article, the Department of Assessments and Taxation shall contract with a public or private entity to audit the assessed value of personal property subject to the personal property tax under the Tax – Property Article. A report on the findings of the audit shall be submitted to the General Assembly, in**

(Over)

accordance with § 2-1246 of the State Government Article, by December 31, 2016. The Governor shall include sufficient funds in the State budget for the Department to cover the costs of procuring the audit, not to exceed \$5,000,000. The Governor may introduce a deficiency appropriation during the 2016 regular session of the General Assembly to cover the cost of the audit.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect contingent on the Board of Public Works approving the procurement contract required under Section 2 of this Act on or before April 1, 2016. If the Board of Public Works does not approve the procurement contract required under Section 2 of this Act on or before April 1, 2016, this Act, with no further action required by the General Assembly, shall be null and void and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect June 1, 2015.”.