

HOUSE BILL 857

Q1
HB 380/18 – W&M

9lr1701

By: **Delegates M. Fisher, Buckel, Corderman, Hornberger, Kittleman, Malone, and Morgan**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Personal Property Tax – Investments in Maryland**

3 FOR the purpose of providing an exemption from personal property tax for property that is
4 owned by certain businesses organizing in or moving into the State; exempting
5 certain personal property from the property tax imposed by a county or municipal
6 corporation as of a certain date; providing that certain personal property remains
7 subject to a county or municipal corporation property tax; requiring the State
8 Department of Assessments and Taxation to identify certain provisions of law and
9 submit a certain report to the General Assembly; providing for the application of this
10 Act; and generally relating to a personal property tax for certain businesses.

11 BY adding to
12 Article – Tax – Property
13 Section 7–246 and 7–402
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2018 Supplement)

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

18 **Article – Tax – Property**

19 **7–246.**

20 **PERSONAL PROPERTY IS NOT SUBJECT TO PROPERTY TAX IF THE PROPERTY**
21 **IS OWNED BY:**

22 **(1) A BUSINESS THAT HAS ORGANIZED UNDER THE LAWS OF THE**
23 **STATE DURING THE CURRENT TAX YEAR; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A BUSINESS THAT HAS RELOCATED ITS HEADQUARTERS TO THE**
2 **STATE DURING THE CURRENT TAX YEAR.**

3 **7-402.**

4 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, PERSONAL**
5 **PROPERTY IS NOT SUBJECT TO COUNTY OR MUNICIPAL CORPORATION PROPERTY**
6 **TAX.**

7 **(B) THE FOLLOWING PERSONAL PROPERTY IS SUBJECT TO COUNTY OR**
8 **MUNICIPAL CORPORATION PROPERTY TAX:**

9 **(1) OPERATING PERSONAL PROPERTY OF A RAILROAD OR A PUBLIC**
10 **UTILITY; AND**

11 **(2) PROPERTY USED TO PROVIDE A CABLE TELEVISION, DATA, OR**
12 **TELECOMMUNICATIONS SERVICE, INCLUDING:**

13 **(I) ALL FIBER-OPTIC AND OTHER CABLE WIRE SYSTEMS;**

14 **(II) CELLULAR TELEPHONE TOWERS; AND**

15 **(III) WIRELESS APPURTENANCES ATTACHED TO OR INSTALLED**
16 **ON CELLULAR TELEPHONE TOWERS.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
18 2019, the State Department of Assessments and Taxation shall identify provisions of the
19 Annotated Code of Maryland and the Code of Public Local Laws that are rendered
20 inaccurate or obsolete as a result of Section 1 of this Act and, in accordance with § 2-1246
21 of the State Government Article, shall submit a report to the General Assembly on its
22 findings with recommendations for any amendments to the Annotated Code of Maryland
23 or the Code of Public Local Laws.

24 SECTION 3. AND BE IT FURTHER ENACTED, That § 7-402 of the Tax – Property
25 Article, as enacted by this Act, shall be applicable to all taxable years beginning after June
26 30, 2021.

27 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June
28 1, 2019, and, except as provided in Section 3 of this Act, shall be applicable to all taxable
29 years beginning after June 30, 2019.