

SENATE BILL 258

Q1
SB 349/20 – B&T

(PRE-FILED)

11r0947
CF 11r0705

By: **Senators Patterson, Benson, Hough, Simonaire, and Young**

Requested: October 13, 2020

Introduced and read first time: January 13, 2021

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax Exemption – Disabled Veterans**

3 FOR the purpose of expanding eligibility for a property tax exemption for the dwelling
4 house of a disabled veteran to include veterans with at least a certain percentage of
5 service connected disability; providing for the application of this Act; and generally
6 relating to a property tax exemption for the dwelling house of a disabled veteran.

7 BY repealing and reenacting, with amendments,

8 Article – Tax – Property

9 Section 7–208(a)

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Tax – Property

14 Section 7–208(b)

15 Annotated Code of Maryland

16 (2019 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Tax – Property**

20 7–208.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “Disabled active duty service member” means an individual in active
23 service of the military, naval, or air service as defined in 38 U.S.C. § 101 who has a service

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 connected physical disability that:

2 (i) is reasonably certain to continue for the life of the service
3 member; and

4 (ii) was not caused or incurred by misconduct of the service member.

5 (3) (i) "Disabled veteran" means an individual who:

6 1. is honorably discharged or released under honorable
7 circumstances from active military, naval, or air service as defined in 38 U.S.C. § 101; and

8 2. has been declared by the Veterans' Administration to have
9 a permanent [100%] service connected disability **OF AT LEAST 80%** that results from
10 blindness or other disabling cause that:

11 A. is reasonably certain to continue for the life of the veteran;
12 and

13 B. was not caused or incurred by misconduct of the veteran.

14 (ii) "Disabled veteran" includes an individual who qualifies
15 posthumously for a [100%] service connected disability **OF AT LEAST 80%**.

16 (4) "Dwelling house":

17 (i) means real property that is:

18 1. the legal residence of a disabled active duty service
19 member, disabled veteran, or surviving spouse; and

20 2. occupied by not more than 2 families; and

21 (ii) includes the lot or curtilage and structures necessary to use the
22 real property as a residence.

23 (5) "Individual who died in the line of duty" means an individual who died
24 while in the active military, naval, or air service of the United States as a result of an injury
25 or disease that is deemed under 38 U.S.C. § 105 to have been incurred in the line of duty.

26 (6) "Surviving spouse" means an individual who has not remarried and
27 who:

28 (i) is the surviving spouse of a disabled veteran;

29 (ii) is the surviving spouse of an individual who died in the line of
30 duty; or

1 (iii) receives Dependency and Indemnity Compensation from the
2 United States Department of Veterans Affairs.

3 (b) Except as provided in subsection (e) of this section, a dwelling house is exempt
4 from property tax if:

5 (1) the dwelling house is owned by:

6 (i) a disabled active duty service member;

7 (ii) a disabled veteran;

8 (iii) a surviving spouse of an individual who died in the line of duty,
9 if:

10 1. the dwelling house was owned by the individual at the
11 time of the individual's death;

12 2. the dwelling house was acquired by the surviving spouse
13 within 2 years of the individual's death, if the individual or the surviving spouse was
14 domiciled in the State as of the date of the individual's death; or

15 3. the dwelling house was acquired after the surviving
16 spouse qualified for exemption for a former dwelling house under item 1 or 2 of this item,
17 to the extent of the previous exemption; or

18 (iv) a surviving spouse of a disabled veteran who meets the
19 requirements of subsection (c) of this section; and

20 (2) the application requirements of subsection (d) of this section are met.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
22 1, 2021, and shall be applicable to all taxable years beginning after June 30, 2021.