

Department of Legislative Services

Maryland General Assembly

2021 Session

FISCAL AND POLICY NOTE

First Reader

Senate Bill 258

(Senator Patterson, *et al.*)

Budget and Taxation

Property Tax Exemption - Disabled Veterans

This bill expands the eligibility criteria of a property tax exemption for specified disabled veterans and surviving spouses of veterans to include veterans with at least an 80% service-connected disability. Under current law, veterans must have a 100% service-connected disability to be eligible for the property tax exemption. **The bill takes effect June 1, 2021, and applies to taxable years beginning after June 30, 2021.**

Fiscal Summary

State Effect: Annuity Bond Fund (ABF) revenues decrease by a potentially significant amount beginning in FY 2022. Under one set of assumptions, special fund revenues may decrease by approximately \$1.0 million annually beginning in FY 2022. This decrease may require either (1) an increase in the State property tax rate or (2) a general fund appropriation to cover debt service on the State's general obligation bonds. Future year revenues reflect a constant number of exemptions being granted and stable assessments.

Local Effect: Local property tax revenues decrease by a potentially significant amount beginning in FY 2022. Under one set of assumptions, local property tax revenues may decrease by approximately \$10.5 million annually beginning in FY 2022. County expenditures are not affected.

Small Business Effect: None.

Analysis

Current Law: The real property owned by disabled veterans, as their legal residence, is exempt from taxation, if specified requirements are met. A disabled veteran is an individual who is honorably discharged or released under honorable circumstances from active service in any branch of the U.S. Armed Forces. To qualify for the tax exemption, the disabled veteran must have a 100% service-connected disability rating. Real property owned by the surviving spouse of a disabled veteran and the surviving spouse of an individual who died in the line of duty while in active military, naval, or air service of the United States is exempt from taxation. In addition, a home owned by the surviving spouse of a veteran of the U.S. Armed Forces who receives Dependency and Indemnity Compensation from the U.S. Department of Veterans Affairs is eligible for a property tax exemption under specified circumstances.

Major Property Tax Exemptions

The major exemptions from the local property tax are local, State, and federal government property; property of religious organizations; cemeteries and mausoleums; nonprofit hospitals; portions of continuing care facilities for the elderly; property of charitable, fraternal, and educational institutions; property used for national defense or military housing; property of national veterans' organizations; homes of disabled veterans and the blind (partial exemption), or a surviving spouse of either; property of historical societies and museums; property owned by certain taxpayers engaged in building, operating, and managing nonprofit multifamily units, subject to local government approval; and property owned by fire companies, rescue squads, community water corporations, and housing authorities.

A comprehensive overview on exempt property in Maryland can be found in Chapter 3 of the [Guide to the Property Tax Structure in Maryland](#).

Fiscal Impact of Current Exemption

For fiscal 2020, 12,386 property owners received a property tax exemption for being a disabled veteran, a surviving spouse, or a disabled active duty service member, and the assessment for these properties was approximately \$4.1 billion. The associated State revenue loss from these exemptions total approximately \$4.6 million, based on a \$0.112 State property tax rate. All State property tax revenues are credited to a special fund, the ABF, dedicated exclusively to paying the debt service on State general obligation bonds. Local governments generally have the authority to set their own property tax rates. Based on the average combined county-municipal property tax rate, the projected local revenue loss from the current exemption could total approximately \$50 million.

State Fiscal Effect: ABF revenue will decrease by a potentially significant amount beginning in fiscal 2022 as a result of expanding the exemption for disabled veterans and surviving spouses. The amount of the revenue decrease depends on the number of eligible disabled veterans and surviving spouses and the assessed value of each exempt property.

For illustrative purposes only, special fund revenues may decrease by approximately \$1.0 million annually beginning in fiscal 2022 as a result of the exemption provided by the bill. The estimate is based on the following:

- 372,500 veterans living in Maryland;
- 19.7% of veterans have a service-connected disability rating, with 5.7% having a disability rating of 70% or higher;
- 12,386 property owners received a property tax exemption for being a disabled veteran, a surviving spouse, or a disabled active duty service member in fiscal 2020;
- under current law, a disabled veteran must have a 100% service-connected disability rating to receive the property tax exemption;
- the average taxable assessment (after the homestead property tax credit) for residential property is \$227,870 for State tax purposes and \$221,937 for county tax purposes; and
- 67.5% homeownership rate in Maryland.

Debt service payments on the State's general obligation bonds are paid from the ABF. Revenue sources for the fund include State property taxes; premium from bond sales; and repayments from certain State agencies, subdivisions, and private organizations. General funds may be appropriated directly to the ABF to make up any differences between the debt service payments and funds available from property taxes and other sources.

To offset the reduction in State property tax revenues, general fund expenditures could increase in an amount equal to the decrease in ABF revenues, or the State property tax rate would have to be increased in order to meet debt service payments. This assumes that the ABF does not have an adequate fund balance to cover the reduction in State property tax revenues.

Local Fiscal Effect: Based on the assumptions and data used above and an average local property tax rate of \$1.198 per \$100 of assessment, local government revenues may decrease by approximately \$10.5 million annually beginning in fiscal 2022. The impact on revenues may vary depending on the actual number of additional exemption recipients, where each recipient resides, and the assessed value of each property.

Additional Information

Prior Introductions: SB 349 of 2020 received a favorable report from the Senate Budget and Taxation Committee and passed the Senate. The bill was referred to the House Ways and Means Committee, but no further action was taken. Its cross file, HB 708 received a hearing in the House Ways and Means Committee, but no further action was taken. SB 357 of 2019 received a hearing in the Senate Budget and Taxation Committee, but no further action was taken. Its cross file, HB 1396 was assigned to the House Rules and Executive Nominations Committee. SB 459 of 2018 received a hearing in the Senate Budget and Taxation Committee, but no further action was taken. SB 132 of 2017 received a hearing in the Senate Budget and Taxation Committee, but no further action was taken. Its cross file, HB 938, received a hearing in the House Ways and Means Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland Association of Counties; Department of Veterans Affairs; State Department of Assessments and Taxation; Department of Legislative Services

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