

SB0476/293320/1

BY: Ways and Means Committee

AMENDMENTS TO SENATE BILL 476  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Tax –” insert “Authorization for Counties to Exempt”; in the same line, strike “Mortgage Exemption – Threshold Amount” and substitute “Mortgages”; strike beginning with “altering” in line 3 down through “tax” in line 4 and substitute “authorizing the Mayor and City Council of Baltimore City or the governing body of a county to grant an exemption from the recordation tax for certain indemnity mortgage transactions”; and after line 10, insert:

“BY adding to

Article – Tax – Property

Section 12–119

Annotated Code of Maryland

(2019 Replacement Volume and 2022 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 11, in each instance, strike the brackets; in the same line, strike “\$12,500,000”; in the same line, strike “or”; after line 11, insert:

**“3. TO AN INDEMNITY MORTGAGE THAT SECURES A GUARANTEE OF REPAYMENT OF A LOAN OR SERIES OF LOANS THAT ARE PART OF THE SAME TRANSACTION FOR AT LEAST \$3,000,000 BUT LESS THAN \$12,500,000 THAT IS EXEMPTED FROM RECORDATION TAX BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY UNDER § 12–119 OF THIS TITLE; OR”;**

in line 12, strike “3.” and substitute “4.”; after line 19, insert:

“12-119.

(A) IN THIS SECTION, “INDEMNITY MORTGAGE” HAS THE MEANING STATED IN § 12-105(F)(7) OF THIS TITLE.

(B) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY MAY GRANT, BY LAW, AN EXEMPTION FROM THE RECORDATION TAX FOR AN INDEMNITY MORTGAGE THAT SECURES A GUARANTEE OF REPAYMENT OF A LOAN OR SERIES OF LOANS THAT ARE PART OF THE SAME TRANSACTION FOR ANY AMOUNT THAT IS AT LEAST \$3,000,000 BUT LESS THAN \$12,500,000.

(C) ON OR BEFORE SEPTEMBER 1 IMMEDIATELY FOLLOWING THE FIRST FISCAL YEAR IN WHICH A LOCAL LAW ENACTED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY UNDER THIS SECTION IS IN EFFECT, AND EACH SEPTEMBER 1 THEREAFTER, THE COLLECTOR OR THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY, WHICHEVER IS DESIGNATED TO COLLECT RECORDATION TAX FOR THE COUNTY, SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE THAT INCLUDES, FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:

(1) THE THRESHOLD AMOUNT OF THE INDEMNITY MORTGAGE EXEMPTION UNDER THE LOCAL LAW ENACTED UNDER THIS SECTION;

(2) THE TOTAL NUMBER OF INDEMNITY MORTGAGES RECORDED THAT WERE EXEMPT FROM RECORDATION TAX UNDER THE LOCAL LAW ENACTED UNDER THIS SECTION;

**(3) THE AMOUNT OF DEBT SECURED BY EACH INDEMNITY MORTGAGE THAT WAS EXEMPT FROM RECORDATION TAX UNDER THE LOCAL LAW ENACTED UNDER THIS SECTION; AND**

**(4) THE AMOUNT OF RECORDATION TAX REVENUE FORGONE BY THE COUNTY DUE TO THE INDEMNITY MORTGAGE EXEMPTION ENACTED UNDER THIS SECTION.”;**

and in line 21, strike “all”.