

HOUSE BILL 63

Q1

(PRE-FILED)

4r1041
CF SB 6

By: **Delegate Pruski**

Requested: October 18, 2023

Introduced and read first time: January 10, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Credit for Dwelling House of Disabled Veterans – Alterations**

3 FOR the purpose of altering eligibility for a certain property tax credit against the county
4 or municipal corporation property tax on the dwelling house of certain disabled
5 veterans to include individuals who have been declared by the U.S. Department of
6 Veterans Affairs to have a certain nonpermanent, service-connected disability
7 rating; altering the criteria for determining the amount of the credit; and generally
8 relating to a property tax credit for the dwelling house of a disabled veteran.

9 BY repealing and reenacting, with amendments,
10 Article – Tax – Property
11 Section 9–265
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2023 Supplement)

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

16 **Article – Tax – Property**

17 9–265.

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

19 (2) “Disabled veteran” means an individual who:

20 (i) is honorably discharged or released under honorable
21 circumstances from active military, naval, or air service as defined in 38 U.S.C. § 101; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) 1. has been declared by the [Veterans Administration] U.S.
 2 DEPARTMENT OF VETERANS AFFAIRS to have a permanent service-connected disability
 3 of at least 50% that results from blindness or any other disabling cause that:

4 [1.] A. is reasonably certain to continue for the life of the
 5 veteran; and

6 [2.] B. was not caused or incurred by misconduct of the
 7 veteran; OR

8 2. HAS BEEN DECLARED BY THE U.S. DEPARTMENT OF
 9 VETERANS AFFAIRS TO HAVE A NONPERMANENT SERVICE-CONNECTED DISABILITY
 10 OF 100% THAT RESULTS FROM BLINDNESS OR ANY OTHER DISABLING CAUSE THAT
 11 WAS NOT CAUSED OR INCURRED BY MISCONDUCT OF THE VETERAN.

12 (3) "Dwelling house":

13 (i) means real property that is:

14 1. the legal residence of a disabled veteran; and

15 2. occupied by not more than two families; and

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

18 (b) The Mayor and City Council of Baltimore City or the governing body of a
 19 county or municipal corporation may grant, by law, a property tax credit under this section
 20 against the county or municipal corporation property tax imposed on a dwelling house if:

21 (1) the dwelling house is owned by a disabled veteran;

22 (2) the disabled veteran's federal adjusted gross income for the
 23 immediately preceding taxable year does not exceed \$100,000; and

24 (3) the application requirements of subsection (d) of this section are met.

25 (c) The property tax credit granted under this section shall equal:

26 (1) 50% of the county or municipal corporation property tax imposed on the
 27 dwelling house if the disabled veteran's service-connected disability rating is at least 75%
 28 [but not more than 99%] AND THE DISABLED VETERAN DOES NOT QUALIFY FOR A
 29 PROPERTY TAX EXEMPTION UNDER § 7-208 OF THIS ARTICLE; or

30 (2) 25% of the county or municipal corporation property tax imposed on the
 31 dwelling house if the disabled veteran's service-connected disability rating is at least 50%

1 but not more than 74%.

2 (d) (1) A disabled veteran shall apply for the property tax credit under this
3 section by providing to the county or municipal corporation:

4 (i) a copy of the disabled veteran's discharge certificate from active
5 military, naval, or air service; and

6 (ii) on the form provided by the county or municipal corporation, a
7 certification of the disabled veteran's disability from the [Veterans Administration] U.S.
8 DEPARTMENT OF VETERANS AFFAIRS.

9 (2) The disabled veteran's certificate of disability may not be inspected by
10 individuals other than:

11 (i) the disabled veteran; or

12 (ii) appropriate employees of the county or municipal corporation.

13 (e) The Mayor and City Council of Baltimore City or the governing body of a
14 county or municipal corporation may, by law, continue to provide the property tax credit
15 under this section to the surviving spouse of the disabled veteran.

16 (f) The Mayor and City Council of Baltimore City or the governing body of a
17 county or municipal corporation may provide, by law, for:

18 (1) the duration of the tax credit;

19 (2) regulations and procedures for the application and uniform processing
20 of requests for the tax credit;

21 (3) the definition of surviving spouse and the amount and duration of the
22 tax credit for the surviving spouse; and

23 (4) any other provision necessary to carry out the tax credit under this
24 section.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
26 1, 2024, and shall be applicable to all taxable years beginning after June 30, 2024.