

SENATE BILL 478

Q1

9lr2404
CF HB 1317

By: **Senators Peters, Eckardt, Edwards, Guzzone, King, Salling, Serafini, and Zucker**

Introduced and read first time: February 4, 2019

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Property Tax – Vehicles Valued as Stock in Business** ~~– Alteration of Tax Credit~~
3 **and Notification on Annexation**

4 FOR the purpose of requiring that certain notice be provided to commercial property owners
5 in a certain area; altering the calculation of a certain property tax credit that the
6 governing body of a county or municipal corporation is required to grant against the
7 county or municipal corporation property tax imposed on vehicles valued as stock in
8 business beginning on a certain date; ~~providing for the retroactive application of this~~
9 ~~Act~~ authorizing the governing body of a county or municipal corporation to grant a
10 certain property tax credit against the county or municipal corporation property tax
11 imposed on vehicles valued as stock in business beginning on a certain date;
12 ~~requiring the governing body of a certain municipal corporation to grant a certain~~
13 ~~property tax credit against the municipal corporation property tax imposed on~~
14 ~~vehicles valued as stock in business beginning on a certain date~~; and generally
15 relating to the property tax credit for vehicles valued as stock in business.

16 BY repealing and reenacting, with amendments,

17 Article – Local Government

18 Section 4–406

19 Annotated Code of Maryland

20 (2013 Volume and 2018 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Tax – Property

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 9–108
2 Annotated Code of Maryland
3 (2012 Replacement Volume and 2018 Supplement)

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

6 **Article – Local Government**

7 4–406.

8 (a) After an annexation resolution is introduced, the chief executive and
9 administrative officer of the municipality shall publish notice in accordance with the
10 requirements of this section that:

11 (1) briefly and accurately describes the proposed annexation and the
12 applicable conditions and circumstances; and

13 (2) specifies the date, time, and place that the legislative body sets for the
14 public hearing on the proposed annexation.

15 (b) **AFTER AN ANNEXATION RESOLUTION IS INTRODUCED, THE CHIEF**
16 **EXECUTIVE OR THE ADMINISTRATIVE OFFICER OF THE MUNICIPALITY SHALL**
17 **NOTIFY COMMERCIAL PROPERTY OWNERS IN THE AREA TO BE ANNEXED OF:**

18 (1) **ALL PERSONAL PROPERTY TAXES AND FEES IMPOSED BY THE**
19 **MUNICIPALITY; AND**

20 (2) **THE DATE, TIME, AND PLACE THAT THE LEGISLATIVE BODY SETS**
21 **FOR THE PUBLIC HEARING ON THE PROPOSED ANNEXATION.**

22 (C) (1) Public notice of the annexation resolution shall be published:

23 (i) 1. at least four times; or

24 2. if the total area of the proposed annexation is 25 acres or
25 less, at least two times;

26 (ii) at not less than weekly intervals; and

27 (iii) in at least one newspaper of general circulation in the
28 municipality and the area to be annexed.

29 (2) The public hearing shall be:

1 (i) set no sooner than 15 days after the final required publication of
 2 the public notice; and

3 (ii) held in the municipality or the area to be annexed.

4 **[(c)] (D)** Immediately after the first publication of the public notice, the
 5 municipality shall provide a copy of the public notice to:

6 (1) the governing body of the county in which the municipality is located;
 7 and

8 (2) any regional or State planning agency with jurisdiction in the county.

9 **[(d)] (E)** The county and any regional or State planning agency with jurisdiction
 10 in the county has the right to be heard before the public at the hearing on the proposed
 11 annexation.

12 **[(e)] (F)** (1) The public hearing may be rescheduled for or continued to a later
 13 date not more than 30 days after:

14 (i) the date when the hearing was originally scheduled; or

15 (ii) the date on which the hearing began but was not completed.

16 (2) If the hearing is rescheduled or continued, public notice shall be
 17 published:

18 (i) at least 7 days before the date of the rescheduled or continued
 19 hearing; and

20 (ii) in a newspaper of general circulation in the municipality and the
 21 area to be annexed.

22 (3) The public notice shall:

23 (i) briefly and accurately describe the area to be annexed; and

24 (ii) specify the date, time, and place of the rescheduled or continued
 25 public hearing.

26 Article – Tax – Property

27 9–108.

28 (a) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) SUBSECTION (B)**
 29 **OF THIS SECTION, THE** governing body of a county or municipal corporation shall grant a

1 property tax credit under this section against the applicable county or municipal property
2 tax imposed on vehicles valued as stock in business in an amount equal to:

3 (1) for the taxable year beginning July 1, 1990, 25% of the tax imposed on
4 those vehicles; ~~and~~

5 (2) for the taxable year beginning July 1, 1991 ~~and each taxable year~~
6 ~~thereafter~~; ~~THROUGH THE TAXABLE YEAR BEGINNING JULY 1, 2015 2018~~, 50% of the
7 tax imposed on those vehicles; ~~AND~~

8 ~~(3) FOR THE TAXABLE YEAR BEGINNING JULY 1, 2016 2019, AND~~
9 ~~EACH TAXABLE YEAR THEREAFTER, 100% 75% OF THE TAX IMPOSED ON THOSE~~
10 ~~VEHICLES.~~

11 (b) FOR THE TAXABLE YEAR BEGINNING JULY 1, 2019, AND EACH TAXABLE
12 YEAR THEREAFTER, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL
13 CORPORATION MAY GRANT A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST
14 THE APPLICABLE COUNTY OR MUNICIPAL PROPERTY TAX IMPOSED ON VEHICLES
15 VALUED AS STOCK IN BUSINESS IN AN AMOUNT EQUAL TO 100% OF THE TAX
16 IMPOSED ON THOSE VEHICLES.

17 ~~(C) FOR THE TAXABLE YEAR BEGINNING JULY 1, 2019, AND EACH TAXABLE~~
18 ~~YEAR THEREAFTER, THE GOVERNING BODY OF THE CITY OF COLLEGE PARK SHALL~~
19 ~~GRANT A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE APPLICABLE~~
20 ~~MUNICIPAL PROPERTY TAX IMPOSED ON VEHICLES VALUED AS STOCK IN BUSINESS~~
21 ~~IN AN AMOUNT EQUAL TO 50% OF THE TAX IMPOSED ON THOSE VEHICLES.~~

22 ~~(D)~~ In addition to any credit required under subsection (a) of this section, the
23 governing body of a county or municipal corporation shall grant a property tax credit under
24 this section against the applicable county or municipal property tax imposed on vehicles
25 valued as stock in business in an amount equal to any increase in property tax resulting
26 from an increase in the percent of assessment over the percent of assessment which was in
27 effect for fiscal year 1989.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2019, ~~and shall be construed to apply retroactively and shall be applied to and~~
30 ~~interpreted to affect all taxable years beginning after June 30, 2016.~~