

SENATE BILL 72

Q3

3lr0820

SB 443/22 – B&T

(PRE-FILED)

By: **Senator Jackson**

Requested: November 16, 2022

Introduced and read first time: January 11, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 14, 2023

CHAPTER _____

1 AN ACT concerning

2 ~~Income Tax Credit for Pet-Friendly Rental Dwelling Units~~
3 ~~Task Force on Financial Incentives for Pet-Friendly Housing~~

4 FOR the purpose of ~~allowing certain landlords a credit against the State income tax for~~
5 ~~certain rental dwelling units in which, during the taxable year, a landlord permits~~
6 ~~certain tenants to reside with companion animals; requiring the Comptroller to~~
7 ~~maintain and publish on the Comptroller's website certain information; and~~
8 ~~generally relating to a credit against the State income tax for pet-friendly rental~~
9 ~~dwelling units~~ establishing the Task Force on Financial Incentives for Pet-Friendly
10 Housing to study certain matters and make recommendations on how to financially
11 incentivize the expansion of pet-friendly housing; and generally relating to the Task
12 Force on Financial Incentives for Pet-Friendly Housing.

13 ~~BY adding to~~
14 ~~Article Tax General~~
15 ~~Section 10-757~~
16 ~~Annotated Code of Maryland~~
17 ~~(2022 Replacement Volume)~~

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

20 ~~Article Tax General~~

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 ~~10-757.~~

2 (A) ~~IN THIS SECTION, "RENTAL DWELLING UNIT" HAS THE MEANING STATED~~
3 ~~IN § 6-801 OF THE ENVIRONMENT ARTICLE.~~

4 (B) ~~SUBJECT TO THE LIMITATIONS OF THIS SECTION, A LANDLORD MAY~~
5 ~~CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO \$200~~
6 ~~FOR EACH RENTAL DWELLING UNIT IN WHICH, DURING THE TAXABLE YEAR, THE~~
7 ~~LANDLORD PERMITS THE LANDLORD'S TENANT TO RESIDE WITH A COMPANION~~
8 ~~ANIMAL.~~

9 (C) (1) ~~FOR EACH TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS~~
10 ~~SECTION MAY NOT EXCEED THE LESSER OF:~~

11 (I) ~~\$2,000; OR~~

12 (H) ~~THE STATE INCOME TAX FOR THAT TAXABLE YEAR,~~
13 ~~CALCULATED BEFORE THE APPLICATION OF THE CREDITS UNDER THIS SECTION~~
14 ~~AND §§ 10-701 AND 10-701.1 OF THIS SUBTITLE BUT AFTER THE APPLICATION OF~~
15 ~~OTHER CREDITS ALLOWABLE UNDER THIS SUBTITLE.~~

16 (2) ~~THE UNUSED AMOUNT OF CREDIT FOR ANY TAXABLE YEAR MAY~~
17 ~~NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.~~

18 (D) (1) ~~A LANDLORD CLAIMING THE CREDIT UNDER THIS SECTION MAY~~
19 ~~IMPOSE A LIMITATION ON THE TOTAL NUMBER OF COMPANION ANIMALS WITH~~
20 ~~WHICH A TENANT MAY RESIDE.~~

21 (2) ~~A LANDLORD CLAIMING THE CREDIT UNDER THIS SECTION MAY~~
22 ~~NOT IMPOSE:~~

23 (I) ~~A NONREFUNDABLE PET FEE ON THE TENANT WHO RESIDES~~
24 ~~WITH A COMPANION ANIMAL; OR~~

25 (H) ~~BREED OR SIZE RESTRICTIONS ON THE COMPANION ANIMAL~~
26 ~~WITH WHICH THE TENANT SEEKS TO RESIDE.~~

27 (E) ~~IN ORDER TO CLAIM THE CREDIT ALLOWED UNDER THIS SECTION, THE~~
28 ~~LANDLORD SHALL FILE WITH THE LANDLORD'S INCOME TAX RETURN:~~

29 (1) ~~A LIST OF EACH PROPERTY AT WHICH THE LANDLORD PERMITS~~
30 ~~THE LANDLORD'S RESIDENTIAL RENTAL HOUSING TENANTS TO RESIDE WITH~~
31 ~~COMPANION ANIMALS IN THE TENANT'S RENTAL DWELLING UNIT AND FOR WHICH~~
32 ~~THE LANDLORD IS CLAIMING THE CREDIT UNDER THIS SECTION; AND~~

~~(2) A COPY OF THE LANDLORD'S POLICIES GOVERNING COMPANION ANIMALS WITH RESPECT TO THE PROPERTY.~~

~~(F) NOTWITHSTANDING THE LIMITATIONS UNDER TITLE 13, SUBTITLE 2 OF THIS ARTICLE, THE COMPTROLLER SHALL MAINTAIN AND PUBLISH ON THE COMPTROLLER'S WEBSITE A LIST OF LANDLORDS WHO CLAIM THE CREDIT ALLOWED UNDER THIS SECTION AND THE PROPERTIES AT WHICH EACH LANDLORD PERMITS THE LANDLORD'S RESIDENTIAL RENTAL HOUSING TENANTS TO RESIDE WITH COMPANION ANIMALS IN THE TENANT'S RENTAL DWELLING UNIT.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023, and shall be applicable to all taxable years beginning after December 31, 2022, but before January 1, 2025. It shall remain effective for a period of 2 years and, at the end of June 30, 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.~~

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

That:

(a) There is a Task Force on Financial Incentives for Pet-Friendly Housing.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Housing and Community Development, or the Secretary's designee; and

(4) the following members, appointed by the Governor:

(i) one representative of a county or municipal animal shelter or animal control organization;

(ii) one representative of a nongovernmental animal shelter or rescue that provides services to individuals in the community;

(iii) two representatives of organizations that engage in advocacy on animal-related issues;

(iv) two representatives of organizations that represent landlords in Maryland; and

1 (v) two representatives of organizations that represent realtors in
2 Maryland.

3 (c) The Governor shall designate the chair of the Task Force.

4 (d) The Department of Housing and Community Development shall provide staff
5 for the Task Force.

6 (e) A member of the Task Force:

7 (1) may not receive compensation as a member of the Task Force; but

8 (2) is entitled to reimbursement for expenses under the Standard State
9 Travel Regulations, as provided in the State budget.

10 (f) The Task Force shall:

11 (1) study matters relating to pet–friendly housing, including:

12 (i) financial incentives that have potential to influence rental
13 housing owners to create more pet–friendly housing;

14 (ii) insurance or liability structures that place burdens on the ability
15 of landlords to offer pet–friendly housing; and

16 (3) barriers on varied sizes and breeds that prohibit landlords from
17 allowing pets; and

18 (2) make recommendations on how to financially incentivize the expansion
19 of pet–friendly housing.

20 (g) On or before November 1, 2024, the Task Force shall report its findings and
21 recommendations to the Governor and, in accordance with § 2–1257 of the State
22 Government Article, the General Assembly.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2023. It shall remain effective for a period of 1 year and 6 months and, at the end of
25 December 31, 2024, this Act, with no further action required by the General Assembly, shall
26 be abrogated and of no further force and effect.