

HOUSE BILL 161

Q1

5lr1339

By: **Delegates Fisher, Adams, Arentz, Buckel, Cluster, Folden, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, McConkey, McKay, Metzgar, W. Miller, Morgan, Ready, Rey, Saab, Szeliga, and C. Wilson**

Introduced and read first time: January 28, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Personal Property Tax – Investments in Maryland**

3 FOR the purpose of providing an exemption from personal property tax for property that is
4 owned by certain businesses organizing or moving into the State; exempting certain
5 personal property from the property tax imposed by a county or municipal
6 corporation as of a certain date; providing that certain personal property remains
7 subject to a county or municipal corporation property tax; requiring the Department
8 of Assessments and Taxation to identify certain provisions of law and submit a
9 certain report to the General Assembly; providing for the application of this Act; and
10 generally relating to a personal property tax for certain businesses.

11 BY adding to

12 Article – Tax – Property

13 Section 7–245 and 7–402

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2014 Supplement)

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

18 **Article – Tax – Property**

19 **7–245.**

20 **PERSONAL PROPERTY IS NOT SUBJECT TO PROPERTY TAX IF THE PROPERTY**
21 **IS OWNED BY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) A BUSINESS THAT HAS ORGANIZED UNDER THE LAWS OF THE**
2 **STATE DURING THE CURRENT TAX YEAR; OR**

3 **(2) A BUSINESS THAT HAS RELOCATED ITS HEADQUARTERS TO THE**
4 **STATE DURING THE CURRENT TAX YEAR.**

5 **7-402.**

6 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, PERSONAL**
7 **PROPERTY IS NOT SUBJECT TO COUNTY OR MUNICIPAL CORPORATION PROPERTY**
8 **TAX.**

9 **(B) THE FOLLOWING PERSONAL PROPERTY IS SUBJECT TO COUNTY OR**
10 **MUNICIPAL CORPORATION PROPERTY TAX:**

11 **(1) OPERATING PERSONAL PROPERTY OF A RAILROAD OR A PUBLIC**
12 **UTILITY; AND**

13 **(2) PROPERTY USED TO PROVIDE A CABLE TELEVISION, DATA, OR**
14 **TELECOMMUNICATIONS SERVICE, INCLUDING:**

15 **(I) ALL FIBER-OPTIC AND OTHER CABLE WIRE SYSTEMS;**

16 **(II) CELLULAR TELEPHONE TOWERS; AND**

17 **(III) WIRELESS APPURTENANCES ATTACHED TO OR INSTALLED**
18 **ON CELLULAR TELEPHONE TOWERS.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
20 2015, the Department of Assessments and Taxation shall identify provisions of the
21 Annotated Code of Maryland or the Code of Public Local Laws that are rendered inaccurate
22 or obsolete as a result of Section 1 of this Act and, in accordance with §
23 2-1246 of the State Government Article, shall submit a report to the General Assembly on
24 its findings with recommendations for any amendments to the Annotated Code of Maryland
25 or the Code of Public Local Laws.

26 SECTION 3. AND BE IT FURTHER ENACTED, That § 7-402 of the Tax – Property
27 Article, as enacted by this Act, shall be applicable to all taxable years beginning after June
28 30, 2017.

29 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2015, and, except as provided in Section 3 of this Act, shall be applicable to all taxable
31 years beginning after June 30, 2015.