

SENATE BILL 478

Q1

(9lr2404)

ENROLLED BILL

— Budget and Taxation / Ways and Means —

Introduced by **Senators Peters, Eckardt, Edwards, Guzzone, King, Salling, Serafini, and Zucker**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber / conference committee amendments.



1 relating to ~~the~~ *notification of municipal annexation and a* property tax credit for
2 vehicles valued as stock in business.

3 BY repealing and reenacting, with amendments,

4 Article – Local Government

5 Section 4–406

6 Annotated Code of Maryland

7 (2013 Volume and 2018 Supplement)

8 BY repealing and reenacting, with amendments,

9 Article – Tax – Property

10 Section 9–108

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2018 Supplement)

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

15 **Article – Local Government**

16 4–406.

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

20 (1) briefly and accurately describes the proposed annexation and the
21 applicable conditions and circumstances; and

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

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

27 (1) **ALL PERSONAL PROPERTY TAXES AND FEES IMPOSED BY THE**
28 **MUNICIPALITY; AND**

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

31 (c) (1) Public notice of the annexation resolution shall be published:

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

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

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

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

6 (2) The public hearing shall be:

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

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

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

12 (1) the governing body of the county in which the municipality is located;
13 and

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

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

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

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

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

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

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

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

28 (3) The public notice shall:

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

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

3 **Article – Tax – Property**

4 9–108.

5 (a) ~~The EXCEPT AS PROVIDED IN SUBJECT TO SUBSECTIONS (B) AND (C)~~
 6 SUBSECTION (B) OF THIS SECTION, THE governing body of a county or municipal
 7 corporation shall grant a property tax credit under this section against the applicable
 8 county or municipal property tax imposed on vehicles valued as stock in business in an
 9 amount equal to:

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

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

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

18 (b) ~~FOR~~ IN ADDITION TO THE PROPERTY TAX CREDIT REQUIRED UNDER
 19 SUBSECTION (A) OF THIS SECTION, FOR THE TAXABLE YEAR BEGINNING JULY 1,
 20 2019, AND EACH TAXABLE YEAR THEREAFTER, THE GOVERNING BODY OF A COUNTY
 21 OR MUNICIPAL CORPORATION MAY GRANT A PROPERTY TAX CREDIT UNDER THIS
 22 SECTION AGAINST THE APPLICABLE COUNTY OR MUNICIPAL PROPERTY TAX
 23 IMPOSED ON VEHICLES VALUED AS STOCK IN BUSINESS IN AN AMOUNT EQUAL UP TO
 24 100% OF THE TAX IMPOSED ON THOSE VEHICLES.

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

30 ~~(D)~~ In addition to ~~any~~ THE PROPERTY TAX credit required under subsection (a)
 31 of this section, the governing body of a county or municipal corporation shall grant a
 32 property tax credit under this section against the applicable county or municipal property
 33 tax imposed on vehicles valued as stock in business in an amount equal to any increase in
 34 property tax resulting from an increase in the percent of assessment over the percent of
 35 assessment which was in effect for fiscal year 1989.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.