

SENATE BILL 6

Q1

(PRE-FILED)

4lr0789
CF HB 63

By: **Senators Gile, Beidle, Carozza, Klausmeier, Simonaire, ~~and Smith~~ Smith, and Hester**

Requested: September 29, 2023

Introduced and read first time: January 10, 2024

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2024

CHAPTER _____

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; authorizing a
8 county or municipal corporation, notwithstanding certain provisions of this Act, to
9 enact a law limiting eligibility for the tax credit to certain individuals; and generally
10 relating to a property tax credit for the dwelling house of a disabled veteran.

11 BY repealing and reenacting, with amendments,
12 Article – Tax – Property
13 Section 9–265
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2023 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 9–265.

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.



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

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

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

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

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

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

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

(3) “Dwelling house”:

(i) means real property that is:

1. the legal residence of a disabled veteran; and

2. occupied by not more than two families; and

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

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

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

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

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

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

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

(2) 25% of the county or municipal corporation property tax imposed on the dwelling house if the disabled veteran's service-connected disability rating is at least 50% but not more than 74%.

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

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

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

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

(i) the disabled veteran; or

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

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

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

(1) the duration of the tax credit;

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

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

(4) NOTWITHSTANDING SUBSECTION (A)(2)(II)2 OF THIS SECTION, ELIGIBILITY CRITERIA FOR THE CREDIT ALLOWED UNDER THIS SECTION THAT LIMITS THE CREDIT TO INDIVIDUALS DESCRIBED UNDER SUBSECTION (A)(2)(II)1 OF THIS SECTION; AND

1 ~~(4)~~ **(5)** any other provision necessary to carry out the tax credit under
2 this section.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
4 1, 2024, and shall be applicable to all taxable years beginning after June 30, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.