

SENATE BILL 330

Q1
SB 25/24 – B&T

5lr2508

By: **Senator Jackson**

Introduced and read first time: January 15, 2025

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax Credit – Disabled or Fallen Law Enforcement Officer or Rescue**
3 **Worker – Alterations**

4 FOR the purpose of altering, for purposes of a certain property tax credit for a certain
5 dwelling, the definition of “fallen law enforcement officer or rescue worker” to include
6 disabled law enforcement officers or rescue workers who have died regardless of the
7 cause of death; repealing a certain requirement that, for purposes of eligibility for
8 the credit, the dwelling must have been acquired by the disabled or fallen law
9 enforcement officer or rescue worker or the surviving spouse or cohabitant within a
10 certain number of years after a certain finding; requiring the amount of the credit
11 for a newly acquired dwelling owned by a disabled or fallen law enforcement officer
12 or rescue worker or the surviving spouse or cohabitant to be in the same proportion
13 as the property tax credit for a certain former dwelling; authorizing, under certain
14 circumstances, the amount of the credit for a dwelling owned by a disabled or fallen
15 law enforcement officer or rescue worker or the surviving spouse or cohabitant to be
16 in the same proportion as the property tax credit initially granted for the dwelling;
17 authorizing a county or municipal corporation, notwithstanding certain provisions
18 of this Act, to enact a law limiting eligibility for the tax credit to certain individuals
19 or to limit the number of years a dwelling must be acquired after certain events in
20 order to qualify for the tax credit; and generally relating to a property tax credit for
21 a dwelling owned by a disabled or fallen law enforcement officer or rescue worker or
22 the surviving spouse or cohabitant.

23 BY repealing and reenacting, with amendments,
24 Article – Tax – Property
25 Section 9–210
26 Annotated Code of Maryland
27 (2019 Replacement Volume and 2024 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Tax – Property

9–210.

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

(2) “Cohabitant” means an individual who for a period of at least 180 days in the year before the death of a fallen law enforcement officer or rescue worker:

(i) had a relationship of mutual interdependence with the fallen law enforcement officer or rescue worker; and

(ii) resided with the fallen law enforcement officer or rescue worker in the dwelling.

(3) “Disabled law enforcement officer or rescue worker” means an individual who:

(i) is a law enforcement officer or rescue worker, as those terms are defined, by law, by the county or municipal corporation as required under subsection (c) of this section;

(ii) has been found to be permanently and totally disabled by an administrative body or court of competent jurisdiction authorized to make such a determination; and

(iii) became disabled:

1. as a result of or in the course of employment as a law enforcement officer or a correctional officer; or

2. while in the active service of a fire, rescue, or emergency medical service, unless the disability was the result of the individual’s own willful misconduct or abuse of alcohol or drugs.

(4) (i) “Dwelling” means real property that:

1. is the legal residence of a disabled law enforcement officer or rescue worker, a surviving spouse, or a cohabitant; and

2. is occupied by not more than two families.

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

(5) “Fallen law enforcement officer or rescue worker” means [an individual who dies]:

(i) **AN INDIVIDUAL WHO DIES** as a result of or in the course of employment as a law enforcement officer or a correctional officer; [or]

(ii) **AN INDIVIDUAL WHO DIES** while in the active service of a fire, rescue, or emergency medical service, unless the death was the result of the individual’s own willful misconduct or abuse of alcohol or drugs; **OR**

(III) A DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WHO DIES REGARDLESS OF THE CAUSE OF DEATH.

(6) “Surviving spouse” means a surviving spouse, who has not remarried, of a fallen law enforcement officer or rescue worker.

(b) **(1)** 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 that is owned by a disabled law enforcement officer or rescue worker, a surviving spouse of a fallen law enforcement officer or rescue worker, or a cohabitant:

[(1)] (I) if the dwelling was owned by the disabled law enforcement officer or rescue worker at the time the law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or by the fallen law enforcement officer or rescue worker at the time of the fallen law enforcement officer’s or rescue worker’s death;

[(2)] (II) if the disabled law enforcement officer or rescue worker was domiciled in the State as of, or any time within the 5 years before, the date the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or the fallen law enforcement officer or rescue worker, the surviving spouse, or the cohabitant was domiciled in the State as of, or any time within the 5 years before, the date of the fallen law enforcement officer’s or rescue worker’s death and the dwelling was acquired by the disabled law enforcement officer or rescue worker [within 10 years of the date] **AFTER** the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or by the surviving spouse or cohabitant [within 10 years of] **AFTER** the fallen law enforcement officer’s or rescue worker’s death; **OR**

[(3)] (III) if the dwelling was owned by the surviving spouse or cohabitant at the time of the fallen law enforcement officer’s or rescue worker’s death[; or].

[(4)] (2) [if the] **FOR A** dwelling **THAT** was acquired after [the] **A** disabled law enforcement officer or rescue worker, [the] **A** surviving spouse, or [the] **A** cohabitant qualified for a credit for a former dwelling under [item (1), (2), or (3)] **PARAGRAPH (1)** of this subsection, [to the extent of the previous credit] **THE CREDIT SHALL BE GRANTED**

FOR THE NEWLY ACQUIRED DWELLING IN AN AMOUNT THAT REDUCES THE PROPERTY TAXES OWED ON THE NEWLY ACQUIRED DWELLING BY THE SAME PROPORTION AS THE CREDIT REDUCED THE PROPERTY TAXES ON THE FORMER DWELLING.

(3) FOR A CREDIT GRANTED IN ACCORDANCE WITH PARAGRAPH (1) OR (2) OF THIS SUBSECTION, IF THE AMOUNT OF PROPERTY TAX IMPOSED ON THE DWELLING INCREASES DURING A TAXABLE YEAR OCCURRING AFTER THE CREDIT IS INITIALLY GRANTED, THE CREDIT FOR THAT TAXABLE YEAR MAY BE GRANTED IN AN AMOUNT THAT REDUCES THE PROPERTY TAXES OWED ON THE DWELLING BY THE SAME PROPORTION AS THE INITIAL CREDIT REDUCED THE PROPERTY TAXES ON THE DWELLING.

(c) A county or municipal corporation:

(1) shall define, by law, who is a law enforcement officer or rescue worker; and

(2) may [provide], by law[, for]:

(i) **NOTWITHSTANDING SUBSECTION (A)(5)(III) OF THIS SECTION, LIMIT ELIGIBILITY FOR THE CREDIT ALLOWED UNDER THIS SECTION TO INDIVIDUALS DESCRIBED UNDER SUBSECTION (A)(5)(I) AND (II) OF THIS SECTION;**

(II) ESTABLISH the amount and duration of a property tax credit allowed under this section;

[(ii)] (III) NOTWITHSTANDING SUBSECTION (B)(1)(II) OF THIS SECTION, PROVIDE FOR any [additional] limitation to the number of years the dwelling was acquired within the date of an adjudication of disability or death; and

[(iii)] (IV) PROVIDE FOR any other provision necessary to carry out the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2025, and shall be applicable to all taxable years beginning after June 30, 2025.