

HOUSE BILL 248

Q1, P1

(PRE-FILED)

4lr0025
CF 4lr0026

By: **Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)**

Requested: September 10, 2023

Introduced and read first time: January 10, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Assessment Appeal Boards and Supervisors – Regional**
3 **Organization**

4 FOR the purpose of establishing certain regions for supervisors of real property
5 assessments offices; altering the geographic jurisdiction of property tax assessment
6 appeal boards from county to regional; establishing the membership of the regional
7 boards; prohibiting an employee of the State Department of Assessments and
8 Taxation from concurrently being a member of a regional board, serving as the
9 Administrator of the regional boards, or being employed as staff for a regional board;
10 and generally relating to property tax assessment appeal boards and supervisors.

11 BY repealing and reenacting, without amendments,
12 Article – Tax – Property
13 Section 1–101(a)
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Tax – Property
18 Section 1–101(mm), 2–105, 2–106, 2–216, 3–102, 3–103, 3–105(d), 3–107, 3–108(a),
19 7–106, 7–241, and 8–421
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2023 Supplement)

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

24 **Article – Tax – Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1–101.

2 (a) In this article the following words have the meanings indicated.

3 (mm) “Supervisor” means the supervisor of assessments for a [county] REGION.

4 2–105.

5 (a) **(1)** There is a supervisor for each [county] **OF THE EIGHT REGIONS**
6 **DESCRIBED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

7 **(2) THE COUNTIES SERVED BY THE SUPERVISORS ARE AS FOLLOWS:**

8 **(I) REGION 1 – ALLEGANY, GARRETT, AND WASHINGTON**
9 **COUNTIES;**

10 **(II) REGION 2 – CARROLL AND FREDERICK COUNTIES;**

11 **(III) REGION 3 – BALTIMORE CITY, BALTIMORE COUNTY, AND**
12 **HARFORD COUNTY;**

13 **(IV) REGION 4 – ANNE ARUNDEL AND HOWARD COUNTIES;**

14 **(V) REGION 5 – MONTGOMERY AND PRINCE GEORGE’S**
15 **COUNTIES;**

16 **(VI) REGION 6 – CALVERT, CHARLES, AND ST. MARY’S**
17 **COUNTIES;**

18 **(VII) REGION 7 – CAROLINE, CECIL, KENT, QUEEN ANNE’S, AND**
19 **TALBOT COUNTIES; AND**

20 **(VIII) REGION 8 – DORCHESTER, SOMERSET, WICOMICO, AND**
21 **WORCESTER COUNTIES.**

22 (b) (1) In this subsection and subsection (c) of this section, “appropriate county
23 official” means the Mayor of Baltimore City, the county commissioners or county council of
24 each county, or, if the county charter provides for a county executive, the county executive
25 with the approval of the county council.

26 (2) Each supervisor:

27 (i) shall be appointed by the Director; and

(ii) shall be in the management service of the State Personnel Management System.

(3) The Director shall appoint each supervisor from a list of **[five] AT LEAST ONE** qualified **[individuals] INDIVIDUAL** submitted to the Director by the appropriate county official **FOR EACH COUNTY IN EACH REGION**. The Director shall give the appropriate county **[official] OFFICIALS IN EACH REGION** written notice that a vacancy exists in that **[county] REGION**. Unless the Director extends the period on written request from the appropriate county **[official] OFFICIALS**, the appropriate county official **FOR EACH COUNTY IN EACH REGION** shall submit its list of nominees to the Director on or before 60 days from the date the Director notifies the **[official] OFFICIALS** of the vacancy.

(4) If the Director finds that none of the nominees on **[a list] THE LISTS SUBMITTED BY THE APPROPRIATE COUNTY OFFICIALS IN A REGION** meets the qualifications set under § 2–109 of this subtitle, the Director may reject all of them and request the appropriate county official **FOR EACH COUNTY IN THE REGION** to provide a new list. If the appropriate county official **FOR EACH COUNTY IN THE REGION** does not submit a new list within 20 days of receiving the Director's request, the Director may appoint any qualified individual.

(c) (1) In addition to the qualifications set under § 2–109 of this subtitle, a supervisor:

(i) may not hold any other public office of profit; and

(ii) on appointment, need not be a resident of **[the] A county IN THE REGION** for which the supervisor was appointed, but shall become a resident of **[the] A county IN THE REGION** after the appointment is made.

(2) The appropriate county **[official] OFFICIALS IN A REGION** may waive the residency requirement of paragraph (1)(ii) of this subsection.

[(3) If the appropriate county official nominates an individual under subsection (b)(3) of this section who is not currently a resident of the county, the residency requirement of paragraph (1)(ii) of this subsection is waived for that individual.]

[(d) A supervisor may be removed from office only after a hearing before the Department and a finding of incompetency or other cause.]

[(e) (D) The classifications and salaries of supervisors shall be set in accordance with the provisions of Division I of the State Personnel and Pensions Article.

2–106.

(a) [Each county shall provide the supervisor of the county with an office in the county seat or in Baltimore City, for the supervisor of Baltimore City. The Department is responsible for providing each supervisor with clerical staff, equipment, and other facilities and assistance that the Department considers necessary and as provided in the State budget.

(b) (1) Except as provided in paragraph (2) of this subsection, each] **EACH** county and Baltimore City shall be responsible for reimbursing the State for the costs of administering the Department as follows:

[**(i)**] **(1)** 50% of the costs of real property valuation;

[**(ii)**] **(2)** 50% of the costs of business personal property valuation;

and

[**(iii)**] **(3)** 50% of the costs of the Office of Information Technology within the Department, including any funding for departmental projects in the Major Information Technology Development Project Fund established under § 3A-309 of the State Finance and Procurement Article.

[(2) For each of fiscal years 2012 and 2013, each county and Baltimore City shall be responsible for reimbursing the State 90% instead of 50% of the costs of administering the Department described in paragraph (1) of this subsection.]

[**(c)**] **(B)** Costs under subsection [**(b)**] **(A)** of this section shall be allocated among the counties and Baltimore City as follows:

(1) costs under subsection [(b)(1)(i) and (iii)] **(A)(1) AND (3)** of this section will be allocated based on the number of real property accounts of a county or Baltimore City as a percentage of the total number of real property accounts statewide as of July 1 of the preceding fiscal year; and

(2) costs under subsection [(b)(1)(ii)] **(A)(2)** of this section will be allocated based on the business personal property assessable base of a county or Baltimore City as a percentage of the total business personal property assessable bases statewide as of July 1 of the preceding fiscal year.

[**(d)**] **(C)** Each county and Baltimore City shall remit a quarterly payment to the Comptroller for 25% of the jurisdiction's share of costs on the following dates:

(1) July 1;

(2) October 1;

(3) January 1; and

(4) April 1.

[(e)] (D) The Comptroller may withhold a portion of a local income tax distribution of a county or Baltimore City that fails to make timely payment in accordance with this section.

2–216.

(a) In addition to carrying out the instructions of and the duties assigned by the Department, each supervisor has the powers and duties set forth in this section.

(b) Each supervisor is the chief assessor and shall supervise the assessing of all property in the **[county] REGION** for which the supervisor is appointed.

(c) Each supervisor shall:

(1) visit frequently each district of the **[county] COUNTIES IN THE REGION** for which the supervisor is appointed to obtain all necessary information as to the existence and valuation of property that is subject to tax;

(2) keep informed as to:

(i) sales in the **[county] REGION**; and

(ii) the conditions that relate to those sales; and

(3) report to the Department the sales and the consideration involved.

(d) Each supervisor shall attempt diligently to list all escaped and new property in the **[county] REGION** for which the supervisor is appointed.

(e) Each supervisor shall cooperate with appropriate county officials and other assessing authorities to make equitable assessments.

(f) **[If the supervisor considers the assessment or ruling to be improper, the supervisor may appeal to the Maryland Tax Court any assessment or ruling of the property tax assessment appeal board of the county for which the supervisor is appointed.]**

(g)] A supervisor may:

(1) correct annually the value of any improperly valued property; and

(2) value any property that has been omitted or later acquired.

3–102.

(A) There is a property tax assessment appeal board in each [county] OF THE EIGHT REGIONS DESCRIBED UNDER SUBSECTION (B) OF THIS SECTION.

(B) THE COUNTIES SERVED BY THE REGIONAL BOARDS ARE AS FOLLOWS:

(1) REGION 1 – ALLEGANY, GARRETT, AND WASHINGTON COUNTIES;

(2) REGION 2 – CARROLL AND FREDERICK COUNTIES;

(3) REGION 3 – BALTIMORE CITY, BALTIMORE COUNTY, AND HARFORD COUNTY;

(4) REGION 4 – ANNE ARUNDEL AND HOWARD COUNTIES;

(5) REGION 5 – MONTGOMERY AND PRINCE GEORGE’S COUNTIES;

(6) REGION 6 – CALVERT, CHARLES, AND ST. MARY’S COUNTIES;

(7) REGION 7 – CAROLINE, CECIL, KENT, QUEEN ANNE’S, AND TALBOT COUNTIES; AND

(8) REGION 8 – DORCHESTER, SOMERSET, WICOMICO, AND WORCESTER COUNTIES.

3–103.

(a) (1) (i) [Except as provided in subparagraph (ii) of this paragraph, each] EACH REGIONAL board consists of [3] AT LEAST 6 regular members and AT LEAST 1 alternate member.

(ii) [In Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County, each board consists of 3 regular members and 3 alternate members] THE MEMBERSHIP OF EACH REGIONAL BOARD SHALL CONSIST OF AT LEAST ONE REGULAR MEMBER FROM EACH COUNTY THAT THE REGIONAL BOARD SERVES.

(III) AN EMPLOYEE OF THE DEPARTMENT MAY NOT CONCURRENTLY SERVE AS A MEMBER OF A REGIONAL BOARD.

(2) The Governor shall appoint the members from a list of names submitted as follows:

(i) for Baltimore City, by the Mayor of Baltimore City; or

(ii) for a county other than Baltimore City, by:

1. the county commissioners or the county council of the county; or

2. if the county charter provides for a county executive, by the county executive with the approval of the county council.

(3) The number of names on each list shall be 3 times the number of vacancies.

(4) Each list shall be submitted at least 3 months before the end of a term.

(b) Before taking office, each appointee to the board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(c) (1) The term of a member is 5 years. The term ends on June 1 of the appropriate year.

(2) The terms of members are staggered as required by the terms provided for members of the board on July 1, 1985.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) An alternate member fills a vacancy of a regular member until the vacancy is permanently filled. However, if an alternate member is appointed by the Governor as the regular member, the Governor shall appoint a new alternate member.

(6) The board chairman or the Administrator may ask an alternate member to serve on the board during the temporary absence of a regular member. However, an alternate may not serve on the board when the [3] regular members are present.

(d) (1) The Governor may remove a member only for incompetence, malfeasance, conduct unbecoming a board member, or inability or failure to perform the duties of the office on a regular basis.

(2) After giving a member notice and an opportunity for a hearing, the Mayor of Baltimore City, the county commissioners or the county council of the county, or if the county charter provides for a county executive, the county executive with the approval of the county council, may recommend the removal of the member by the Governor for the grounds listed in paragraph (1) of this subsection.

(d) (1) With the approval of the Administrator, each board may employ a staff in accordance with the State budget.

(2) AN EMPLOYEE OF THE DEPARTMENT MAY NOT BE EMPLOYED CONCURRENTLY AS STAFF FOR A BOARD.

3–107.

(a) Each board has jurisdiction in its [county] REGION over appeals concerning:

(1) real property values and assessments;

(2) credits for elderly or disabled renters under § 9–102 of this article;

(3) credits for homeowners under §§ 9–104 and 9–105 of this article;

(4) credits for elderly or disabled homeowners under § 9–101 of this article;

(5) credits authorized under § 9–222 of this article for real property leased to a religious group or religious organization;

(6) the value of easements under § 2–511 of the Agriculture Article; or

(7) the rejection of an application for a property tax exemption as provided by § 7–103 and Title 14, Subtitle 5 of this article.

(b) (1) A board may not decrease the amount of an assessment after the date of finality for any year unless an appeal of the assessment is filed before the date of finality.

(2) Between general reviews of an assessment in a district, a board may not decrease an assessment in the district unless the board notifies and consults with the supervisor for the district before decreasing the assessment. If a board decreases an assessment between general reviews without first notifying and consulting with the supervisor the decrease is void.

3–108.

(a) (1) With the advice and consent of the Senate, the Governor shall appoint an Administrator of the boards for a term of 6 years.

(2) AN EMPLOYEE OF THE DEPARTMENT MAY NOT CONCURRENTLY SERVE AS THE ADMINISTRATOR OF THE BOARDS.

7–106.

1 (a) Except for real property owned by the federal government, real property that
2 is exempt by law from the property tax shall be assessed under this article and in the
3 manner required by the Director.

4 (b) The assessments of exempt real property shall be maintained in the records
5 of the Department and of the supervisor in each [county] **REGION** in which the exempt
6 property is located.

7 (c) For the purpose of distributing State funds, the assessments of exempt
8 property may not be included in the total assessment of all property.

9 7–241.

10 (a) Subject to subsection (b) of this section, property reserved by the Charles
11 County Planning Commission under § 9–805 of the Land Use Article is not subject to
12 property tax.

13 (b) (1) The Commission shall notify the [Charles County] **REGION 6**
14 Supervisor of Assessments when land is reserved and when land is released from
15 reservation.

16 (2) The notice to the Supervisor shall identify the land that has been
17 reserved or released from reservation.

18 (c) The exemption under this section shall be:

19 (1) effective beginning with the first taxable year after the date on which
20 the Supervisor receives from the Commission notification of the reservation; and

21 (2) terminated beginning with the first taxable year after the date on which
22 the Supervisor receives from the Commission notification of the release of the reservation.

23 8–421.

24 (a) When a supervisor delivers the assessments to a collector, the supervisor shall
25 also submit to the Comptroller and the Department a statement under oath that shows the
26 assessments of all real property in the [county] **REGION** except operating real property.

27 (b) The form of the certification is determined by the Comptroller and the
28 Department.

29 (c) The Department shall certify assessments of personal property and operating
30 property to the **APPROPRIATE** county or municipal corporation tax collector as soon as
31 practical after making those assessments.

32 (d) The form of the personal property and operating property certification is
33 determined by the Department.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 1, 2025.