

SENATE BILL 41

Q1

EMERGENCY BILL
(PRE-FILED)

3lr0367
CF HB 249

By: **Senator McCray**

Requested: September 8, 2022

Introduced and read first time: January 11, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2023

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Property Tax – Retroactive Exemption**

3 FOR the purpose of authorizing a person who applies for certain property tax exemptions
4 for real property in Baltimore City to request that the exemption be applied
5 retroactively for a certain period of time, subject to certain requirements; requiring
6 Baltimore City and the State to pay a refund of excess real property taxes paid due
7 to a retroactive exemption that is granted; and generally relating to property tax
8 exemptions.

9 BY adding to
10 Article – Tax – Property
11 Section 7–204.2
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2022 Supplement)

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

16 **Article – Tax – Property**

17 **7–204.2.**

18 **(A) A PERSON WHO APPLIES FOR AN EXEMPTION UNDER § 7–202 OR § 7–204**
19 **OF THIS SUBTITLE FOR REAL PROPERTY IN BALTIMORE CITY MAY REQUEST THAT**

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.



THE EXEMPTION BE APPLIED RETROACTIVELY FOR A PERIOD OF UP TO 3 TAXABLE YEARS, ENDING WITH THE TAXABLE YEAR IN WHICH THE APPLICATION IS FILED.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION AND NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE:

(1) THE DEPARTMENT SHALL GRANT AN EXEMPTION FOR ALL ELIGIBLE TAXABLE YEARS TO A PERSON WHO REQUESTS A RETROACTIVE EXEMPTION UNDER THIS SECTION; AND

(2) BALTIMORE CITY AND THE STATE SHALL PAY A REFUND TO THE PERSON FOR ANY EXCESS TAXES PAID DUE TO A RETROACTIVE EXEMPTION GRANTED UNDER THIS SECTION.

(C) A RETROACTIVE EXEMPTION GRANTED BY THE DEPARTMENT UNDER THIS SECTION:

(1) IS SUBJECT TO THE REVIEW AND APPROVAL OF THE BALTIMORE CITY SOLICITOR AND BALTIMORE CITY DEPARTMENT OF FINANCE; AND

(2) MAY BE GRANTED ONLY ON A SHOWING OF GOOD CAUSE AS TO WHY THE EXEMPTION WAS NOT APPLIED FOR IN A TIMELY MANNER.

(D) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT THAT INDICATES:

(1) THE NUMBER OF REQUESTS FOR A RETROACTIVE EXEMPTION UNDER THIS SECTION THAT THE DEPARTMENT RECEIVED AND GRANTED DURING THE IMMEDIATELY PRECEDING YEAR; AND

(2) ANY AMOUNTS REFUNDED FOR A RETROACTIVE EXEMPTION UNDER THIS SECTION.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2023.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through December 31, 2026, and, at the end of December 31, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.