

HOUSE BILL 45

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HB 570/21 – W&M

(PRE-FILED)

By: **Delegate R. Long**

Requested: November 18, 2022

Introduced and read first time: January 11, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Homestead Property Tax Credit Program – Notice of Eligibility – Lead Registry**
3 **and Code Compliance**

4 FOR the purpose of requiring the State Department of Assessments and Taxation to include
5 with a required notice to a homeowner about the homestead property tax credit
6 certain information regarding the homeowner's obligation, under certain
7 circumstances, to register certain property with the Maryland Department of the
8 Environment and comply with certain building and housing codes; and generally
9 relating to the homestead property tax credit program.

10 BY repealing and reenacting, with amendments,
11 Article – Tax – Property
12 Section 9–105(f)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2022 Supplement)

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

17 **Article – Tax – Property**

18 9–105.

19 (f) (1) The Department shall give notice of the possible property tax credit
20 under this section.

21 (2) In addition to any other notice the Department provides under this
22 subsection, the Department shall:

23 (i) identify homeowners who may be eligible but have failed to apply

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



for the property tax credit under this section; and

(ii) include a separate insert with each assessment notice sent under § 8–401 of this article to each homeowner identified under item (i) of this paragraph that informs the homeowner that:

1. the homeowner may be eligible for the property tax credit under this section and how to apply for the credit; AND

2. IF THE PROPERTY IS USED AS RESIDENTIAL RENTAL PROPERTY:

A. THE HOMEOWNER MUST REGISTER ANY PROPERTY CONSTRUCTED BEFORE 1978 WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AS REQUIRED UNDER § 6–811 OF THE ENVIRONMENT ARTICLE; AND

B. THE PROPERTY MUST COMPLY WITH ANY STATE OR LOCAL BUILDING AND HOUSING CODES.

(3) In addition to any other notice the Department provides under this subsection, the Department shall mail a notice to each individual who acquires residential real property and has not applied for the credit under this section within a reasonable period of time after the individual:

(i) acquires the property by recorded deed; and

(ii) indicates that the property will be the individual's principal residence on the corresponding land instrument intake sheet described under § 3–104 of the Real Property Article.

(4) The notice required under paragraph (3) of this subsection shall:

(i) inform the individual that the individual may be eligible for the property tax credit under this section;

(ii) contain information on how to apply for the credit; and

(iii) inform the individual that the individual may apply to the Department to have the date of the deed accepted as the date of transfer of the property for purposes of the credit as provided in subsection (d)(5) of this section.

(5) (i) The Department shall design a document concerning the credit under this section that shall be presented to the buyer of residential property at the settlement for the property by the person conducting the settlement.

(ii) The document under this paragraph shall include:

1 1. the following statement in conspicuous type: “If you plan
2 to live in this home as your principal residence, you may qualify for the homestead property
3 tax credit. The homestead property tax credit may significantly reduce the amount of
4 property taxes you owe.”;

5 2. instructions on how to apply for the credit online; and

6 3. a complete application for the credit and instructions on
7 how to submit the paper application to the Department.

8 (iii) The Department shall make the document under this paragraph
9 available on its website where it may be easily accessed by persons conducting settlements
10 for residential property.

11 (6) The Department shall ensure that the information it provides under
12 this subsection is accurate and up-to-date.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2023.