

SENATE BILL 247

Q1
SB 782/21 – B&T

2lr1240
CF HB 69

By: **Senator Hayes**

Introduced and read first time: January 14, 2022

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Department of Assessments and Taxation – Real Property Assessments**
3 **and Appeals**

4 FOR the purpose of requiring the State Department of Assessments and Taxation to
5 publish on the Department's website certain information relating to the assessment
6 process and methodology used by the Department in determining the value of real
7 property; altering the minimum value of property improvements required for a
8 certain revaluation of the property by the Department during a certain 3-year cycle;
9 allowing certain authorities authorized to hear property tax appeals to consider
10 certain criteria when hearing an appeal that relates to the valuation of real property;
11 and generally relating to the State Department of Assessments and Taxation,
12 property assessments, and appeals.

13 BY adding to
14 Article – Tax – Property
15 Section 2–218.2
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Tax – Property
20 Section 8–104(c)(1) and 14–516
21 Annotated Code of Maryland
22 (2019 Replacement Volume and 2021 Supplement)

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

25 **Article – Tax – Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **2-218.2.**

2 **THE DEPARTMENT SHALL PUBLISH ON THE DEPARTMENT'S WEBSITE A PLAIN**
3 **LANGUAGE DESCRIPTION OF THE FOLLOWING:**

4 **(1) THE METHODOLOGY APPLIED IN THE VALUATION AND**
5 **ASSESSMENT PROCESS;**

6 **(2) ANY ADJUSTMENTS IN VALUE THAT AN ASSESSOR IS AUTHORIZED**
7 **TO MAKE;**

8 **(3) THE CRITERIA USED TO DETERMINE THE DEPRECIATION VALUE**
9 **OF REAL PROPERTY;**

10 **(4) THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT IS**
11 **REQUIRED TO REVALUE REAL PROPERTY IN ANY YEAR OF A 3-YEAR CYCLE; AND**

12 **(5) ANY OTHER FACTORS RELEVANT TO THE VALUATION OF REAL**
13 **PROPERTY BY THE DEPARTMENT.**

14 8-104.

15 (c) (1) In any year of a 3-year cycle, real property shall be revalued if any of
16 the factors listed below causes a change in the value of the real property:

17 (i) the zoning classification is changed at the initiative of the owner
18 or anyone having an interest in the property;

19 (ii) a change in use or character occurs;

20 (iii) substantially completed improvements **OR RENOVATIONS** are
21 made which add at least **[\$100,000] \$50,000** in value to the property;

22 (iv) an error in calculation or measurement of the real property
23 caused the value to be erroneous;

24 (v) a residential use assessment is terminated pursuant to § 8-226
25 of this title; or

26 (vi) a subdivision occurs. For purposes of this subsection,
27 "subdivision" means the division of real property into 2 or more parcels by subdivision plat,
28 condominium plat, time-share, metes and bounds, or other means.

29 14-516.

(a) In this section, “appeal authority” includes:

(1) a supervisor;

(2) the Department;

(3) a property tax assessment appeal board;

(4) the Maryland Tax Court; and

(5) any other court authorized to hear property tax appeals under this subtitle.

(B) IN HEARING AN APPEAL UNDER THIS SUBTITLE THAT RELATES TO THE VALUE OF REAL PROPERTY, AN APPEAL AUTHORITY MAY CONSIDER THE FOLLOWING CRITERIA IN MAKING ITS FINAL DECISION:

(1) THE FAIR MARKET VALUE OF THE REAL PROPERTY;

(2) THE VALUATION AND ASSESSMENT METHODOLOGY EMPLOYED BY THE ASSESSOR;

(3) DEPRECIATION FACTORS;

(4) THE ASSESSMENT VALUE OF COMPARABLE PROPERTIES; OR

(5) ANY OTHER CRITERIA RELATED TO THE VALUATION AND ASSESSMENT OF REAL PROPERTY.

[(b)] (C) (1) Subject to paragraph (2) of this subsection, within 30 days after the Department provides notice to a tax collector to whom property tax was paid that an appeal authority has issued a decision that reduces the assessed value of property, the tax collector shall pay to the taxpayer a full refund of the excess tax paid.

(2) The notice required under paragraph (1) of this subsection shall include a list of all properties for which an appeal authority has calculated that a taxpayer is due a refund as a result of a decision by the appeal authority to reduce the assessed value of the property.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.