SENATE BILL 286

Q1 4lr0013
(PRE–FILED) CF HB 154

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**
Requested: September 10, 2023
Introduced and read first time: January 10, 2024
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 25, 2024

CHAPTER ______

AN ACT concerning

~~Homeowners' Property Tax Credit – Application Filing Deadline – Extension for Homeowner Protection Program Enrollees~~
Homeowners' and Homestead Property Tax Credits – Application Filing Deadline – Extension

FOR the purpose of authorizing the State Department of Assessments and Taxation to accept an application for the homeowners' property tax credit submitted by a certain homeowner within a certain period of time if the homeowner is enrolled in the Homeowner Protection Program; altering the number of taxable years a homeowner may be retroactively qualified by the Department for the homestead property tax credit; and generally relating to the homeowners' and homestead property tax ~~credit~~ credits.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–104(u) and 9–105(d)(7)
Annotated Code of Maryland
(2019 Replacement Volume and 2023 Supplement)

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

Article – Tax – Property

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.

9–104.

(u) (1) Under the conditions set forth in this subsection, the Department may accept an application from a homeowner within:

(i) 1 year after April 15 of the taxable year for which the property tax credit under this section is sought, if the homeowner:

1. is applying for the first time; or

2. has filed an application on or before October 1 in each of the 3 taxable years immediately preceding the taxable year for which the credit is sought; or

(ii) 3 years after April 15 of the taxable year for which a credit is sought, if the homeowner **IS**:

1. **A.** **[**is**]** at least 70 years old as of the taxable year for which a credit is sought; **[**and**]** **OR**

B. ENROLLED IN THE HOMEOWNER PROTECTION PROGRAM ESTABLISHED UNDER TITLE 14, SUBTITLE 8, PART VII OF THIS ARTICLE; AND

2. was eligible for the credit under this section for the taxable year for which the credit is sought.

(2) A homeowner may apply to the Department for a property tax credit under this section by filing an application on the form that the Department provides.

(3) The homeowner shall state under oath that the facts in the application are true.

(4) To substantiate the application, the Department may require the homeowner to provide a copy of an income tax return, or other evidence detailing gross income or net worth.

(5) On certification by the Department, the Comptroller shall pay to the homeowner the property tax credit due under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – Property

9–105.

(d) (7) If a homeowner submits an application to the Department under this section and the Department determines that the homeowner was eligible for the credit in **[**the**]** **A** prior taxable year but failed to file an application for the credit as required under this subsection:

(i) the homeowner shall be retroactively qualified for the Homestead Property Tax Credit Program for **[**the**]** **UP TO 2** prior taxable **[**year**]** **YEARS**; and

(ii) the Department shall calculate the **[**prior year's**]** taxable assessment as if the credit had been granted for **[**the**]** **UP TO 2** prior taxable **[**year**]** **YEARS**.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after June 30, 2024.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after June 30, 2022.

SECTION ~~2.~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2024~~, and shall be applicable to all taxable years beginning after June 30, 2024~~.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.