HOUSE BILL 1238

Q1 7lr3076

By: **Delegates Fisher, Buckel, Clark, S. Howard, McDonough, McKay, Metzgar, Rey, and West**
Introduced and read first time: February 10, 2017
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Personal Property Tax – Exemption for Business Personal Property

FOR the purpose of exempting business personal property from the property tax imposed by a county or municipal corporation, subject to certain exceptions; requiring the State Department of Assessments and Taxation to identify certain provisions of law and submit a certain report to the General Assembly; providing for the application of this Act; and generally relating to an exemption from the personal property tax for certain businesses.

BY adding to
Article – Tax – Property
Section 7–402
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Article – Tax – Property

7–402.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, PERSONAL PROPERTY IS NOT SUBJECT TO COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX.

(B) THE FOLLOWING PERSONAL PROPERTY IS SUBJECT TO COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

(1) OPERATING PERSONAL PROPERTY OF A RAILROAD OR A PUBLIC UTILITY; AND

(2) PROPERTY USED TO PROVIDE A CABLE TELEVISION, DATA, OR TELECOMMUNICATIONS SERVICE, INCLUDING:

(I) ALL FIBER–OPTIC AND OTHER CABLE WIRE SYSTEMS;

(II) CELLULAR TELEPHONE TOWERS; AND

(III) WIRELESS APPURTENANCES ATTACHED TO OR INSTALLED ON CELLULAR TELEPHONE TOWERS.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2017, the State Department of Assessments and Taxation shall identify provisions of the Annotated Code of Maryland or the Code of Public Local Laws that are rendered inaccurate or obsolete as a result of Section 1 of this Act and, in accordance with § 2–1246 of the State Government Article, shall submit a report to the General Assembly on its findings with recommendations for any amendments to the Annotated Code of Maryland or the Code of Public Local Laws.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017, and, shall be applicable to all taxable years beginning after June 30, 2017.