

COUNTY LOCAL LAWS

COUNTY, MARYLAND, that -

Sec. 1. Section 52-11, title "Tax Credits for Persons Over Sixty-five Years of Age", of Chapter 52, title "Taxation", of the Montgomery County Code 1972, is hereby repealed in its entirety and a new Section 52-11 is enacted to read as follows:

52-11.

A. TAX CREDITS FOR PERSONS OVER SIXTY-FIVE YEARS OF AGE. PURSUANT TO SECTION 12D, ARTICLE 81 OF THE ANNOTATED CODE OF MARYLAND, 1972 SUPPLEMENT, A TAX CREDIT UPON THE DWELLING HOUSE OF ONE OR MORE HOMEOWNERS AND THE LOT OR CURTILAGE WHERE THE SAME IS ERECTED, NOT TO EXCEED THE AMOUNT DERIVED BY APPLYING THE COUNTY TAX, THE COUNTY SCHOOL TAX, AND THE SPECIAL AREA TAX RATES TO ASSESSMENTS AS PROVIDED IN PARAGRAPH 3 HEREOF, SHALL BE ALLOWED TO TAXPAYERS WHO APPLY AND MEET ALL OF THE FOLLOWING CONDITIONS FOR SUCH TAX CREDIT:

1. ON OR BEFORE JULY 1 OF THE FISCAL YEAR FOR WHICH APPLICATION FOR TAX CREDIT IS MADE, THE HOMEOWNER MUST HAVE ATTAINED THE AGE OF 65 YEARS, OR A HOMEOWNER WHO HAS NOT ATTAINED THE AGE OF 65 YEARS MUST BE RECEIVING BENEFITS AS A RESULT OF A FINDING OF PERMANENT AND TOTAL DISABILITY UNDER THE SOCIAL SECURITY SYSTEM, OR BY AN APPROPRIATE AGENCY OF A MUNICIPAL CORPORATION, COUNTY, STATE OR FEDERAL GOVERNMENT OR THE DISTRICT OF COLUMBIA.

2. THE HOMEOWNER MUST RESIDE ON AND HAVE LEGAL INTEREST IN THE PROPERTY TO WHICH THE CREDIT WILL APPLY AND THE DWELLING MUST BE THE PRINCIPAL RESIDENCE OF SUCH HOMEOWNER.

3. A HOMEOWNER SHALL BE ELIGIBLE FOR A TAX CREDIT IF THE TOTAL INCOME OR COMBINED TOTAL INCOME DOES NOT EXCEED \$10,000 FOR THE CALENDAR YEAR IMMEDIATELY PRECEDING THE TAXABLE YEAR FOR WHICH CREDIT IS CLAIMED. THE AMOUNT OF THE TAX CREDIT SHALL BE THE AMOUNT DERIVED BY APPLYING THE COUNTY TAX, THE COUNTY SCHOOL TAX, AND THE APPLICABLE SPECIAL AREA TAX RATES TO THAT PORTION OF THE REAL PROPERTY ASSESSMENT WHICH EQUALS THE DIFFERENCE BETWEEN \$14,000 AND THE TOTAL INCOME FROM ALL SOURCES.

B. IN THE EVENT A HOMEOWNER WHO IS ELIGIBLE FOR A TAX CREDIT UNDER THIS SECTION RECEIVED A LOCAL TAX CREDIT FOR A PRECEDING TAXABLE YEAR AND THE INCOME OR COMBINED INCOME OF THAT HOMEOWNER IN THE SUCCEEDING YEAR WOULD HAVE BEEN WITHIN THE ELIGIBILITY LIMITS OF THE PRECEDING YEAR, THE AMOUNT OF ASSESSMENT CREDIT ALLOWED UNDER THIS SECTION SHALL NOT BE LESS THAN THE AMOUNT OF CREDIT RECEIVED FOR SUCH PRIOR TAXABLE YEAR. IN NO EVENT SHALL