

~~FOR THE PRECEDING YEAR INCREASED BY AN AMOUNT EQUAL TO THE RATE OF INFLATION FOR THE 12 MONTH PERIOD PRECEDING THE DATE OF FINALITY AS DETERMINED BY THE CONSUMER PRICE INDEX (ALL CITIES) OF THE BUREAU OF LABOR STATISTICS OF THE U.S. DEPARTMENT OF LABOR OR, IN THE ALTERNATIVE BY THE DEPARTMENT OF STATE PLANNING OF THE MARYLAND STATE GOVERNMENT, MULTIPLIED BY THE APPLICABLE TAX RATE.~~

(A) FOR THE TAXABLE YEARS 1977-1978 AND 1978-1979 EACH COUNTY, BALTIMORE CITY AND ANY INCORPORATED MUNICIPALITY SHALL GRANT A HOMEOWNERS' TAX CREDIT IN ACCORDANCE WITH THIS SUBSECTION AGAINST THE COUNTY, BALTIMORE CITY OR MUNICIPAL PROPERTY TAXES IMPOSED BY THAT JURISDICTION ON REAL PROPERTY.

(B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(2) "LEGAL INTEREST" MEANS AN ESTATE IN THE DWELLING WHETHER AS SOLE OWNER, JOINT TENANT, TENANT IN COMMON, TENANT BY THE ENTIRETIES, OR THROUGH MEMBERSHIP IN A COOPERATIVE, AND INCLUDES A LIFE ESTATE.

(3) "HOMEOWNER" MEANS A PERSON WHO BY JULY 1 OF THE TAXABLE YEAR FOR WHICH THE REAL PROPERTY TAX EXEMPTION IS TO BE ALLOWED ACTUALLY RESIDES IN A DWELLING IN WHICH THE PERSON HAS A LEGAL INTEREST.

(4) "DWELLING" MEANS THE DWELLING HOUSE OF ONE OR MORE HOMEOWNERS AND THE LOT OF CURTILAGE WHERE IT IS ERECTED, WHICH IS USED AS THE PRINCIPAL RESIDENCE OF THAT HOMEOWNER, OR HOMEOWNERS. A DWELLING INCLUDES A CONDOMINIUM PARCEL OCCUPIED BY ITS OWNER. IT ALSO INCLUDES AN APARTMENT IN A COOPERATIVE APARTMENT CORPORATION OCCUPIED BY THE PERSON HAVING A LEGAL INTEREST IN THE APARTMENT. IT ALSO INCLUDES A PORTION OF REAL PROPERTY USED OTHER THAN PRIMARILY FOR RESIDENTIAL PURPOSES, IF THE PROPERTY IS USED AS A PRINCIPAL RESIDENCE BY THE PERSON HAVING A LEGAL INTEREST IN THAT PROPERTY. IN THIS CASE, THE DEPARTMENT OF ASSESSMENTS AND TAXATION SHALL ADJUST THE TOTAL PROPERTY ASSESSMENT BETWEEN THAT PORTION OF THE PROPERTY USED FOR RESIDENTIAL PURPOSES AND THAT PORTION OF THE PROPERTY USED OTHER THAN FOR RESIDENTIAL PURPOSES. A DWELLING MAY NOT BE DEEMED A PRINCIPAL RESIDENCE WHICH IS NOT ACTUALLY OCCUPIED OR EXPECTED TO BE ACTUALLY OCCUPIED BY THE HOMEOWNER OR HOMEOWNERS FOR MORE THAN SIX MONTHS OF A 12-MONTH PERIOD BEGINNING WITH THE DATE OF FINALITY. A HOMEOWNER, OTHERWISE ELIGIBLE, MAY NOT QUALIFY FOR THE CREDIT IF HE DOES NOT ACTUALLY RESIDE IN THE DWELLING THE REQUIRED TIME PERIOD BECAUSE OF ILLNESS OR NEED OF SPECIAL CARE. A HOMEOWNER OR HOMEOWNERS MAY CLAIM CREDIT IN ONLY ONE DWELLING.

(C) THE CREDIT SHALL BE GRANTED PROVIDED THE FOLLOWING CONDITIONS ARE MET:

(1) THE PROPERTY HAS NOT BEEN TRANSFERRED