

Annapolis, Maryland 21404

Re: Senate Bill 435, House Bill 766, and Senate Bill 92

Dear Governor Lee:

Senate Bill 435 and House Bill 766, which are the administration bills, provide for the subclassification of homestead property and the increase in the inflation allowance for that property. The bills amend Article 81, Section 14(a) and (b)(1), Section 232C(c) and (d) and add Section 14A. In our Opinion to you of March 8, 1978, we reviewed these bills and concluded that they were constitutional. Since that time, minor amendments have been made to the bills including provision for notice of the special inflation allowance in the tax bill and provision for refund to taxpayers who fail to receive the special allowance. (Section 14(b)(1)(iv)). These amendments do not change our opinion as to constitutionality.

Senate Bill 92 also amends portions of Section 14 (Section 14(b)), Section 232C(d) and adds Section 232C(h) and (i) and Section 29(h). This bill requires the local subdivisions to establish the inflation allowance applicable for purposes of local taxation. We are of the opinion that if Senate Bill 435 or House Bill 766 is signed, Senate Bill 92 should not be. If Senate Bill 92 were to be signed prior to either Senate Bill 435 or House Bill 766, the enactment of either of those two bills would repeal portions of Section 14(b) referring to locally established inflation rates, but leave others in force. Provisions in Section 29 and Section 232C relating to locally established inflation rates would also remain in force. If Senate Bill 92 were signed after Senate Bill 435 or House Bill 766, Senate Bill 92 would have the effect of repealing the special inflation allowance for homestead property.

Very truly yours,
Francis Bill Burch
Attorney General

Senate Bill No. 169 - Mental Disorders - Emergency
Admissions

AN ACT concerning

Mental Disorders - Emergency Admissions