

Baltimore County tax imposed on the transfer of certain corporate assets.

BY repealing and reenacting, with amendments,

Article 81 - Revenue and Taxes

Section 277A

Annotated Code of Maryland

(1980 Replacement Volume and 1984 Supplement)

BY repealing and reenacting, with amendments,

Article - Tax - Property

Section ~~13-403~~ 13-404

Annotated Code of Maryland

(As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of 1985)

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

Article 81 - Revenue and Taxes

277A.

(a) The Department of Assessments and Taxation is hereby authorized and directed to collect the transfer tax of any of the counties or Baltimore City, at the rate locally imposed on the sale or transfer of real property, upon the filing of articles of sale, lease, exchange, or other transfer of all or substantially all the property and assets of a corporation with respect to the property subject to the certificate required under § 3-112 of the Corporations and Associations Article. The tax, however, shall not apply to (1) the transfer of title to real property between a subsidiary corporation and its parent corporation for no consideration, for nominal consideration, or in sole consideration, of the issue or the cancellation or surrender of a subsidiary's stock, or (2) the transfer of title to real property between two or more subsidiary corporations wholly owned by the same parent corporation for no consideration, for nominal consideration, or in sole consideration of the issue or the cancellation or surrender of a subsidiary's stock, or (3) deed made pursuant to reorganizations within the meaning of § 368 (a) or in accordance with §§ 371 to 374 inclusive of the Internal Revenue Code.

(b) The counties and Baltimore City, as applicable, shall certify to the Department of Assessments and Taxation the rate, application, and authority for any transfer tax lawfully imposed as of July 1, 1976.

(c) The Department of Assessments and Taxation shall collect such transfer taxes as may be applicable at the rates