

VETOES

House Bill No. 483

AN ACT concerning

Recordation Tax - Property Partly in State

FOR the purpose of altering the method of calculating the recordation tax for certain instruments of writing that secure interests in certain nonexempt personal and real property located partly in this State; and generally relating to the calculation of the recordation tax for instruments of writing involving property located partly in this State.

BY repealing and reenacting, with amendments,

Article - Tax - Property  
Section 12-105(a)  
Annotated Code of Maryland  
(1986 Volume and 1986 Supplement)

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

Article - Tax - Property

12-105.

(a) (1) For a deed, deed of trust, or mortgage transferring title to real property located partly in the State, the recordation tax applies to the consideration payable or the principal amount of the debt secured in the same ratio that the value of the real property that is located in the State bears to the value of the entire property.

(2) FOR A SECURITY AGREEMENT COVERING PERSONAL PROPERTY THAT IS NOT EXEMPT UNDER ~~§-12-108(H)~~ § 12-108(K) OF THIS TITLE AND IS LOCATED PARTLY IN THIS STATE, RECORDATION TAX APPLIES TO THE PRINCIPAL AMOUNT OF THE DEBT SECURED IN THE SAME RATIO THAT THE VALUE OF THE NONEXEMPT PERSONAL PROPERTY LOCATED IN THIS STATE BEARS TO THE VALUE OF THE ENTIRE PERSONAL PROPERTY.

(3) FOR TRANSACTIONS THAT INVOLVE INSTRUMENTS OF WRITING DESCRIBED IN BOTH PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, THE RECORDATION TAX APPLIES TO THE CONSIDERATION PAYABLE OR THE PRINCIPAL AMOUNT OF THE DEBT SECURED IN THE SAME RATIO THAT THE SUM OF THE VALUES OF THE REAL PROPERTY AND THE NONEXEMPT PERSONAL PROPERTY LOCATED IN THIS STATE BEARS TO THE VALUE OF THE ENTIRE PROPERTY.