

CHAPTER 327

(Senate Bill 616)

AN ACT concerning

Code Counties - Transfer Tax -

FOR the purpose of authorizing the governing body of a code home rule county to impose a transfer tax on certain instruments of writing; setting a certain limit on the tax that may be imposed; providing for certain exemptions from the transfer tax; providing for the construction of this Act; and generally relating to the authority of a code home rule county to impose a transfer tax.

BY adding to

Article - Tax - Property
Section 13-402.1
Annotated Code of Maryland
(1986 Volume and 1987 Supplement)

Preamble

WHEREAS, Article XI-F, § 9 of the Maryland Constitution requires that authorization for a code county to impose a tax, other than property tax, be enacted by a general law of the General Assembly that in its terms and effect applies alike to all code counties; and

WHEREAS, Kent County, one of the four existing code counties in the State, has authority in the county's Code of Public Local Laws for a transfer tax that was enacted before Kent County became a code county; and

WHEREAS, At least one other code county has requested authority to impose a transfer tax; now, therefore,

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

Article - Tax - Property

13-402.1.

(A) THE GOVERNING BODY OF A COUNTY THAT HAS ADOPTED HOME RULE POWERS UNDER ARTICLE XI-F OF THE CONSTITUTION MAY IMPOSE A TRANSFER TAX ON AN INSTRUMENT OF WRITING:

(1) RECORDED WITH THE CLERK OF TH CIRCUIT COURT FOR TH COUNTY; OR