

Annotated Code of Maryland
(1994 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Article - Tax - Property

Section ~~12-108(p) and 13-207(a)(9)~~ 13-207(a)(17) and (18)

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(1994 Replacement Volume and 1998 Supplement)

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

Article - Tax - Property

12-108.

(p) ~~An instrument of writing is not subject to recordation tax if the instrument of writing is:~~

~~(1) a transfer of title to real property between a parent corporation and its subsidiary corporation OR LIMITED LIABILITY COMPANY or between 2 or more subsidiary corporations OR LIMITED LIABILITY COMPANIES wholly owned by the same parent corporation, if the parent corporation is an original stockholder OR MEMBER of the subsidiary corporation OR LIMITED LIABILITY COMPANY, or subsidiary corporations OR LIMITED LIABILITY COMPANIES, or became a stockholder OR MEMBER through gift or bequest from an original stockholder of the subsidiary corporation OR LIMITED LIABILITY COMPANY, or subsidiary corporations OR LIMITED LIABILITY COMPANIES, for:~~

~~(i) no consideration;~~

~~(ii) nominal consideration; or~~

~~(iii) consideration that comprises only the issuance, cancellation, or surrender of stock OR MEMBERSHIP INTEREST of a subsidiary corporation OR LIMITED LIABILITY COMPANY;~~

~~(2) an instrument of writing made pursuant to reorganizations described in § 368(a) of the Internal Revenue Code; or~~

~~(3) a transfer of title to real property from a subsidiary corporation OR LIMITED LIABILITY COMPANY to its parent corporation for no consideration, nominal consideration or consideration that comprises only the issuance, cancellation, or surrender of a subsidiary's stock OR A MEMBERSHIP INTEREST IN A LIMITED LIABILITY COMPANY, where the parent corporation:~~

~~(i) previously owned the real property;~~

~~(ii) owns the stock OR MEMBERSHIP INTEREST of the subsidiary OR LIMITED LIABILITY COMPANY and has owned that stock OR MEMBERSHIP INTEREST for a period greater than 18 months; or~~