

**CITY OF BALTIMORE  
COUNCIL BILL 17-0173  
(First Reader)**

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Introduced by: Councilmember Henry, President Young, Councilmembers Middleton, Bullock,  
Scott, Dorsey, Burnett, Clarke, Sneed, Pinkett, Stokes

Introduced and read first time: December 7, 2017

Assigned to: Taxation, Finance and Economic Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of  
Housing and Community Development, Department of Real Estate, Department of Finance,  
Baltimore Development Corporation, Board of Estimates

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Recordation and Transfer Taxes –**  
3 **Increases – Dedicating Portion of Tax Proceeds**

4 FOR the purpose of raising the recordation tax from \$5 to \$6 for each \$500 or fractional  
5 part of \$500 of the actual consideration paid; raising the transfer tax from 1½% to 1¾% of  
6 the taxable base, as defined; dedicating a portion of the proceeds from these taxes to the  
7 continuing, nonlapsing fund created by City Charter Article I, § 14 {“Affordable Housing  
8 Trust Fund”}; and generally relating to the City’s recordation and transfer taxes.

9 BY repealing and reordaining, with amendments

10 Article 28 - Taxes  
11 Sections 16-1 and 17-2(a)(1)  
12 Baltimore City Code  
13 (Edition 2000)

14 BY adding

15 Article 28 - Taxes  
16 Sections 16-3 and 17-15  
17 Baltimore City Code  
18 (Edition 2000)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
20 Laws of Baltimore City read as follows:

21 style="text-align:center">**Baltimore City Code**

22 style="text-align:center">**Article 28. Taxes**

23 style="text-align:center">**Subtitle 16. Recordation Tax**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 17-0173**

**§ 16-1. Tax imposed.**

Pursuant to State Tax-Property Article § 12-103(b), the rate of tax applicable to instruments recorded with the Clerk of the Circuit Court for Baltimore City is:

- (1) in the case of instruments conveying title to property, [\$5] \$6 for each \$500 or fractional part of \$500 of the actual consideration paid or to be paid; and
- (2) in the case of instruments securing a debt, [\$5] \$6 for each \$500 or fractional part of \$500 of the principal amount of the debt secured.

**§ 16-3. DEDICATION OF PORTION OF TOTAL PROCEEDS.**

16.6666% OF ALL PROCEEDS FROM THE TAX LEVIED AND IMPOSED UNDER THIS SUBTITLE, AS AMENDED FROM TIME TO TIME, SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.

**Subtitle 17. Transfer Tax**

**§ 17-2. Tax imposed – In general.**

(a) *In general.*

- (1) A tax is hereby levied and imposed upon the transfer of any estate of inheritance or freehold, of any declaration or limitation of use, or any estate above 7 years, in Baltimore City, at the rate of [1½%] 1¾% of the taxable basis thereof, as hereinafter defined.

**§ 17-15. DEDICATION OF PORTION OF TOTAL PROCEEDS.**

14.2857% OF ALL PROCEEDS FROM THE TAX LEVIED AND IMPOSED UNDER THIS SUBTITLE, AS AMENDED FROM TIME TO TIME, AND FROM ALL INTEREST AND CIVIL PENALTIES IMPOSED ON THAT TAX, SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.