

**CITY OF BALTIMORE
COUNCIL BILL 16-0697
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Finance)
Introduced and read first time: June 20, 2016

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Department, Department of Housing and Community Development, Department of Real Estate, Department of Finance, Commission for Historical and Architectural Preservation, Board of Estimates

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Property Tax Credit – Public Safety Officers**

3 FOR the purpose of establishing a tax credit against the property tax imposed on the principal
4 residences of certain public safety officers; imposing certain limitations, conditions, and
5 qualifications for credit eligibility; providing for the amount, duration, and administration of
6 the credit; defining certain terms; providing for a special effective date; and generally relating
7 to a property tax credit for qualified public safety officers.

8 BY adding

9 Article 28 - Taxes
10 Section 10-20
11 Baltimore City Code
12 (Edition 2000)

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

15 **Baltimore City Code**

16 **Article 28. Taxes**

17 **Subtitle 10. Credits**

18 **§ 10-20. Public Safety Officers.**

19 (A) *DEFINITIONS.*

20 (1) *IN GENERAL.*

21 IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

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

Council Bill 16-0697

1 (2) *DWELLING.*

2 “DWELLING” HAS THE MEANING STATED IN STATE TAX-PROPERTY ARTICLE § 9-105
3 {“HOMESTEAD TAX CREDIT”}.

4 (3) *FINANCE DIRECTOR.*

5 “FINANCE DIRECTOR” MEANS THE DIRECTOR OF THE CITY DEPARTMENT OF FINANCE
6 OR THAT DIRECTOR’S DESIGNEE.

7 (4) *HOMEOWNER.*

8 “HOMEOWNER” HAS THE MEANING STATED IN STATE TAX-PROPERTY ARTICLE § 9-105
9 {“HOMESTEAD TAX CREDIT”}.

10 (6) *HOMESTEAD DWELLING.*

11 “HOMESTEAD DWELLING” MEANS A DWELLING THAT IS :

12 (1) LOCATED IN BALTIMORE CITY;

13 (2) USED AS THE PRINCIPAL RESIDENCE OF A PUBLIC SAFETY OFFICER; AND

14 (3) OTHERWISE ELIGIBLE FOR THE TAX CREDIT AUTHORIZED BY STATE TAX-
15 PROPERTY ARTICLE § 9-105 {“HOMESTEAD TAX CREDIT”}.

16 (6) *PUBLIC SAFETY OFFICER.*

17 “PUBLIC SAFETY OFFICER” MEANS A FIREFIGHTER, AN EMERGENCY MEDICAL
18 TECHNICIAN, OR A LAW ENFORCEMENT OFFICER WHO IS A SWORN MEMBER OF AND
19 EMPLOYED FULL TIME BY:

20 (I) THE BALTIMORE CITY FIRE DEPARTMENT;

21 (II) THE BALTIMORE CITY POLICE DEPARTMENT, OR

22 (III) THE BALTIMORE CITY SHERIFF’S OFFICE.

23 (B) *CREDIT GRANTED.*

24 IN ACCORDANCE WITH STATE TAX-PROPERTY ARTICLE § 9-304(I), A REAL PROPERTY TAX
25 CREDIT IS GRANTED AGAINST THE CITY PROPERTY TAX IMPOSED ON THE HOMESTEAD
26 DWELLING OF A PUBLIC SAFETY OFFICER.

27 (C) *AMOUNT OF CREDIT.*

28 IN ANY TAXABLE YEAR, THE AMOUNT OF THE CREDIT GRANTED TO A HOMESTEAD
29 DWELLING UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

Council Bill 16-0697

1 (1) \$2,500; AND

2 (2) THE AMOUNT OF THE PROPERTY TAX IMPOSED ON THE DWELLING.

3 (D) *LIMITATION ON OTHER CREDITS.*

4 IN ANY TAXABLE YEAR FOR WHICH A PROPERTY RECEIVES A CREDIT GRANTED UNDER THIS
5 SECTION, THE PROPERTY MAY NOT RECEIVE ANY OTHER PROPERTY TAX CREDIT PROVIDED
6 BY BALTIMORE CITY EXCEPT:

7 (1) THE LOCAL PORTION OF THE CREDIT AUTHORIZED BY STATE TAX-PROPERTY
8 ARTICLE § 9-105 {"HOMESTEAD TAX CREDIT"}; AND

9 (2) THE CREDIT AUTHORIZED BY § 9-221 {"OFFSETTING INCOME TAX RATES"}.

10 (E) *APPLICATION AND ANNUAL VERIFICATION.*

11 (1) A PUBLIC SAFETY OFFICER SEEKING TO OBTAIN AND ANNUALLY MAINTAIN A CREDIT
12 UNDER THIS SECTION MUST:

13 (I) AT LEAST 90 DAYS BEFORE THE 1ST TAX YEAR FOR WHICH THE CREDIT IS
14 SOUGHT, FILE WITH THE FINANCE DIRECTOR AN APPLICATION FOR THE CREDIT;
15 AND

16 (II) AT LEAST 90 DAYS BEFORE EACH SUBSEQUENT TAX YEAR, FILE WITH THE
17 FINANCE DIRECTOR A VERIFICATION THAT THE PROPERTY CONTINUES TO BE:

18 (A) USED AS THE PUBLIC SAFETY OFFICER'S PRINCIPAL RESIDENCE; AND

19 (B) OTHERWISE ELIGIBLE FOR THE TAX CREDIT AUTHORIZED BY THIS
20 SECTION.

21 (2) THE APPLICATION AND VERIFICATION MUST BE IN THE FORM AND CONTAIN THE
22 INFORMATION THAT THE FINANCE DIRECTOR REQUIRES.

23 (F) *TERM OF CREDIT.*

24 THE CREDIT GRANTED UNDER THIS SECTION CONTINUES FROM YEAR TO YEAR, SUBJECT TO
25 COMPLIANCE WITH THE ANNUAL VERIFICATION REQUIREMENTS OF SUBSECTION (E) OF THIS
26 SECTION.

27 (G) *ADMINISTRATION.*

28 THE FINANCE DIRECTOR:

29 (1) SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING
30 PROCEDURES, FORMS, AND DOCUMENTATION REQUIRED TO APPLY FOR THE CREDIT
31 AUTHORIZED BY THIS SECTION AND TO PERIODICALLY VERIFY CONTINUING
32 ELIGIBILITY FOR THE CREDIT;

Council Bill 16-0697

1 (2) IN THOSE RULES AND REGULATIONS, MAY DEFINE OR FURTHER DEFINE ANY TERMS
2 USED IN CONNECTION WITH THE QUALIFICATIONS FOR OR COMPUTATION OF THE
3 CREDIT AUTHORIZED BY THIS SECTION;

4 (3) MAY SETTLE DISPUTED CLAIMS ARISING IN CONNECTION WITH THE CREDIT
5 AUTHORIZED BY THIS SECTION; AND

6 (4) MAY DELEGATE TO ANY OTHER CITY AGENCY OR EMPLOYEE HIS OR HER POWERS,
7 DUTIES, OR FUNCTIONS IN CONNECTION WITH THE ADMINISTRATION OF THE CREDIT
8 AUTHORIZED BY THIS SECTION.

9 (H) *CRIMINAL PENALTIES.*

10 ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT ON OR IN CONNECTION WITH
11 AN APPLICATION FOR A TAX CREDIT UNDER THIS SECTION OR IN CONNECTION WITH ANY
12 REPORT OR STATEMENT SUPPORTING A PROPERTY'S CONTINUED ELIGIBILITY FOR A TAX
13 CREDIT GRANTED UNDER THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON
14 CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR TO IMPRISONMENT FOR
15 NOT MORE THAN 12 MONTHS OR TO BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

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

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when enacted,
20 applicable for all taxable years beginning on or after July 1, 2017.