

ENROLLED

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0120**

Introduced by: Councilmember Costello, President Young, Councilmembers Cohen, Scott,
Bullock, Pinkett, Schleifer, Stokes, Middleton, Clarke, Sneed, Burnett, Reisinger, Henry
Introduced and read first time: September 11, 2017
Assigned to: Taxation, Finance and Economic Development Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 30, 2017

AN ORDINANCE CONCERNING

Property Tax Credit – Public Safety Officers

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

BY adding
Article 28 - Taxes
Section 10-21
Baltimore City Code
(Edition 2000)

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

Baltimore City Code
Article 28. Taxes
Subtitle 10. Credits

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.
Underlined italics indicate matter added to the bill by amendment after printing for third reading.

Council Bill 17-0120

§ 10-21. PUBLIC SAFETY OFFICERS.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

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

(2) *DWELLING.*

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

(3) *FINANCE DIRECTOR.*

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

(4) *HOMEOWNER.*

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

(5) *HOMESTEAD DWELLING.*

“HOMESTEAD DWELLING” MEANS A DWELLING THAT IS :

- (I) LOCATED IN BALTIMORE CITY;
- (II) OWNED BY AND USED AS THE PRINCIPAL RESIDENCE OF A PUBLIC SAFETY OFFICER; AND
- (III) OTHERWISE ELIGIBLE FOR THE TAX CREDIT AUTHORIZED BY STATE TAX-PROPERTY ARTICLE § 9-105 {“HOMESTEAD TAX CREDIT”}.

(6) *PUBLIC SAFETY OFFICER.*

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

- (I) THE BALTIMORE CITY FIRE DEPARTMENT;
- (II) THE BALTIMORE CITY POLICE DEPARTMENT, OR
- (III) THE BALTIMORE CITY SHERIFF’S OFFICE.

Council Bill 17-0120

1 (B) *CREDIT GRANTED.*

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

5 (C) *AMOUNT OF CREDIT.*

6 IN ANY TAXABLE YEAR, THE AMOUNT OF THE CREDIT GRANTED TO A HOMESTEAD
7 DWELLING UNDER THIS SECTION IS THE LESSER OF:

8 (1) \$2,500; AND

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

10 (D) *LIMITATION ON OTHER CREDITS.*

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

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

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

17 (E) *APPLICATION AND ANNUAL VERIFICATION.*

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

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

23 (II) AT LEAST 90 DAYS BEFORE EACH SUBSEQUENT TAX YEAR, FILE WITH THE
24 FINANCE DIRECTOR A VERIFICATION THAT:

25 (A) THE HOMEOWNER CONTINUES TO SERVE AS A PUBLIC SAFETY OFFICER;
26 AND

27 (B) THE PROPERTY CONTINUES TO BE:

28 1. USED AS THE PUBLIC SAFETY OFFICER'S PRINCIPAL RESIDENCE;
29 AND

30 2. OTHERWISE ELIGIBLE FOR THE TAX CREDIT AUTHORIZED BY THIS
31 SECTION.

Council Bill 17-0120

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

3 (F) *TERM OF CREDIT.*

4 (1) THE CREDIT GRANTED UNDER THIS SECTION CONTINUES FROM TAX YEAR TO TAX
5 YEAR, SUBJECT TO:

6 (I) COMPLIANCE WITH THE ANNUAL VERIFICATION REQUIREMENTS OF SUBSECTION
7 (E) OF THIS SECTION; AND

8 (II) TERMINATION UNDER PARAGRAPH (2) OF THIS SUBSECTION.

9 (2) IF, AT ANY TIME DURING A TAX YEAR, THE HOMEOWNER CEASES TO SERVE AS A PUBLIC
10 SAFETY OFFICER:

11 (I) THE TAX CREDIT GRANTED UNDER THIS SECTION FOR THAT TAX YEAR IS
12 TERMINATED; AND

13 (II) THE HOMEOWNER IS LIABLE FOR ALL PROPERTY TAXES THAT WOULD HAVE
14 BEEN DUE FOR THAT TAX YEAR HAD THE CREDIT NOT BEEN GRANTED, PAYABLE
15 AS PROVIDED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SECTION.

16 (G) *ADMINISTRATION.*

17 THE FINANCE DIRECTOR:

18 (1) SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING
19 PROCEDURES, FORMS, AND DOCUMENTATION REQUIRED TO APPLY FOR THE CREDIT
20 AUTHORIZED BY THIS SECTION AND TO PERIODICALLY VERIFY CONTINUING
21 ELIGIBILITY FOR THE CREDIT;

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

25 (3) MAY SETTLE DISPUTED CLAIMS ARISING IN CONNECTION WITH THE CREDIT
26 AUTHORIZED BY THIS SECTION; ~~AND~~

27 (4) MUST PREPARE AN ANNUAL WRITTEN REPORT TO THE MAYOR AND CITY COUNCIL
28 DETAILING THE NUMBER OF PUBLIC SAFETY OFFICERS FROM EACH AGENCY WHO HAVE
29 UTILIZED THE TAX CREDIT IN THE PRECEDING YEAR; AND

30 (5) ~~(4)~~ MAY DELEGATE TO ANY OTHER CITY AGENCY OR EMPLOYEE THE DIRECTOR'S
31 POWERS, DUTIES, OR FUNCTIONS IN CONNECTION WITH THE ADMINISTRATION
32 OF THE CREDIT AUTHORIZED BY THIS SECTION.

Council Bill 17-0120

1 (H) *CRIMINAL PENALTIES.*

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

8 (I) *TERMINATION OF PROGRAM.*

9 APPLICATIONS FOR THIS CREDIT MAY NOT BE ACCEPTED AFTER JUNE 30, 2028.

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

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when enacted,
14 applicable for all taxable years beginning on or after July 1, 2018.

Certified as duly passed this ____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City