

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

§ 10-21. PUBLIC SAFETY OFFICERS.

(A) *DEFINITIONS.*

(1) *IN GENERAL.*

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.
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.

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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 (5) *HOMESTEAD DWELLING.*

11 “HOMESTEAD DWELLING” MEANS A DWELLING THAT IS :

12 (I) LOCATED IN BALTIMORE CITY;

13 (II) OWNED BY AND USED AS THE PRINCIPAL RESIDENCE OF A PUBLIC SAFETY
14 OFFICER; AND

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

17 (6) *PUBLIC SAFETY OFFICER.*

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

21 (I) THE BALTIMORE CITY FIRE DEPARTMENT;

22 (II) THE BALTIMORE CITY POLICE DEPARTMENT, OR

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

24 (B) *CREDIT GRANTED.*

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

28 (C) *AMOUNT OF CREDIT.*

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

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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:

18 (A) THE HOMEOWNER CONTINUES TO SERVE AS A PUBLIC SAFETY OFFICER;
19 AND

20 (B) THE PROPERTY CONTINUES TO BE:

21 1. USED AS THE PUBLIC SAFETY OFFICER'S PRINCIPAL RESIDENCE;
22 AND

23 2. OTHERWISE ELIGIBLE FOR THE TAX CREDIT AUTHORIZED BY THIS
24 SECTION.

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

27 (F) *TERM OF CREDIT.*

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

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

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

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

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

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

8 (G) *ADMINISTRATION.*

9 THE FINANCE DIRECTOR:

10 (1) SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING
11 PROCEDURES, FORMS, AND DOCUMENTATION REQUIRED TO APPLY FOR THE CREDIT
12 AUTHORIZED BY THIS SECTION AND TO PERIODICALLY VERIFY CONTINUING
13 ELIGIBILITY FOR THE CREDIT;

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

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

19 (4) MAY DELEGATE TO ANY OTHER CITY AGENCY OR EMPLOYEE THE DIRECTOR'S
20 POWERS, DUTIES, OR FUNCTIONS IN CONNECTION WITH THE ADMINISTRATION OF
21 THE CREDIT AUTHORIZED BY THIS SECTION.

22 (H) *CRIMINAL PENALTIES.*

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

29 (I) TERMINATION OF PROGRAM.

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

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

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

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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