# County Council of Howard County, Maryland

2016 Legislative Session                                                       Legislative Day No. 16

### Bill No. 66 -2016

### Introduced by: Calvin Ball
### Co-sponsored by:  Jon Weinstein

AN ACT establishing a tax credit against the County property tax imposed on residential real property that has suffered flood damage or sewage damage caused by flood conditions under certain circumstances; establishing the amount, terms, conditions, and duration of the credit; providing for an application procedure and administration of the credit; and generally relating to property tax credits.

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Introduced and read first time _____, 2016.  Ordered posted and hearing scheduled.

By order _____
                    Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2016.

By order _____
                    Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2016 and Passed ___, Passed with amendments _____, Failed _____.

By order _____
                    Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____day of _____, 2016 at ___ a.m./p.m.

By order _____
                    Jessica Feldmark, Administrator

Approved by the County Executive _____, 2016

_____
     Allan H. Kittleman, County Executive

NOTE:  [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment;  <u>Underlining</u> indicates material added by amendment.

1     **WHEREAS,** beginning on July 30, 2016, severe and unusual rainfall caused intense flooding in

2            Ellicott City; and

3     **WHEREAS,** this natural disaster resulted in the loss of life and severe property damage to

4            private property and a variety of public infrastructure facilities; and

5     **WHEREAS,** the harm to property was so significant that the repair, rehabilitation, restoration,

6            and redevelopment will be difficult, expensive, and time-consuming; and

7     **WHEREAS,** the County can help the private sector in its efforts to rebuild by temporarily

8            reducing or eliminating County property taxes for property owners who are reinvesting in

9            those efforts;

10    **NOW, THEREFORE,**

11    *Section 1.  Be It Enacted by the County Council of Howard County, Maryland, that the Howard*

12    *County Code is amended as follows:*

13    *By adding:*

14          *Title 20.  Taxes, charges and fees.*

15              *Subtitle 1.  Real property tax; administration, credits, and enforcement.*

16                  *Part II. Statewide tax credits.*

17                     *Section 20.119B. Ellicott City Strong Tax Credit.*

18

19                 **Title 20. Taxes, charges and fees.**

20        **Subtitle 1.  Real property tax; administration, credits, and enforcement.**

21                  **Part II.  Statewide tax credits.**

22

23    **SECTION 20.119B.  ELLICOTT CITY STRONG TAX CREDIT.**

24    (A) *CREDIT ESTABLISHED.*

25         IN ACCORDANCE WITH § 9-211 OF THE TAX-PROPERTY ARTICLE OF THE ANNOTATED

26    CODE OF MARYLAND AND THIS SECTION, THERE IS A HOWARD COUNTY PROPERTY TAX CREDIT

27    AGAINST THE COUNTY REAL PROPERTY TAX ON RESIDENTIAL PROPERTY THAT QUALIFIES UNDER

28    THIS SECTION AS RESIDENTIAL PROPERTY DAMAGED BY FLOOD CONDITIONS.

29    (B) *"ELLICOTT CITY HISTORIC DISTRICT" DEFINED.*

30         "ELLICOTT CITY HISTORIC DISTRICT" MEANS THE ELLICOTT CITY HISTORIC DISTRICT AS

31    IDENTIFIED IN THE NATIONAL REGISTER OF HISTORIC PLACES.

1     (C) *Eligibility.*

2          THE OWNER OF A RESIDENTIAL PROPERTY MAY QUALIFY FOR A TAX CREDIT UNDER THIS

3     SECTION IF THE PROPERTY:

4          (1) WAS IN THE ELLICOTT CITY HISTORIC DISTRICT; AND

5          (2) SUFFERED FLOOD DAMAGE OR SEWAGE DAMAGE CAUSED BY FLOOD CONDITIONS ON

6          JULY 30 OR 31, 2016.

7     (D) *Amount and duration of Credit.*

8          (1) SUBJECT TO THE CONDITIONS IN THIS SECTION, THE TAX CREDIT MAY BE GRANTED IN

9     AN AMOUNT OF UP TO 100% OF THE COST TO REPAIR, REHABILITATE, RESTORE, OR REDEVELOP

10    THE PROPERTY.

11          (2) A QUALIFIED APPLICANT MAY RECEIVE THE CREDIT AUTHORIZED BY THIS SECTION

12    FOR TAX YEARS 2017 AND 2018.

13          (3) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF THE CREDIT EXCEEDS THE

14    COUNTY PROPERTY TAX IN THE YEAR OF APPLICATION, THE DEPARTMENT OF FINANCE SHALL

15    APPLY THE EXCESS TO THE NEXT TAX YEAR.

16    (E) *Application.*

17          (1) TO RECEIVE THE CREDIT, A PROPERTY OWNER SHALL SUBMIT AN APPLICATION TO

18          THE DEPARTMENT OF FINANCE:

19               (I) IN THE FORMAT THAT THE DEPARTMENT OF FINANCE REQUIRES;

20               (II) THAT INCLUDES THE DOCUMENTATION THAT THE DEPARTMENT OF FINANCE

21          REQUIRES; AND

22               (III) ON OR BEFORE THE DATE THAT THE DEPARTMENT OF FINANCE SETS.

23          (2) ONLY ONE APPLICATION FOR A CREDIT UNDER THIS SECTION MAY BE ACCEPTED FOR

24          EACH PROPERTY DURING A SINGLE TAX YEAR.

25    (F) *Annual Limit.*

26          (1)      DURING A FISCAL YEAR, THE TOTAL OF ALL TAX CREDITS GRANTED UNDER THIS

27               SECTION SHALL NOT EXCEED $100,000.

28          (2)      CREDITS SHALL BE GRANTED IN THE ORDER IN WHICH THE DEPARTMENT OF

29               FINANCE RECEIVES THE COMPLETE APPLICATION UNDER SUBSECTION (E) OF THIS

30               SECTION.

31          (3)      AN APPLICATION THAT, IF GRANTED, WOULD CAUSE THE LIMIT IN PARAGRAPH

32               (1) OF THIS SUBSECTION TO BE EXCEEDED, SHALL BE GRANTED IN THE NEXT

33               FISCAL YEAR AND IN THE ORDER RECEIVED WITHOUT THE NEED FOR AN

34               ADDITIONAL APPLICATION.

1    (G) *PUBLICITY*.

2    THE DEPARTMENT OF FINANCE SHALL PUBLICIZE THE CREDIT AUTHORIZED BY THIS

3    SECTION IN A WAY DESIGNED TO INFORM THOSE MOST LIKELY TO BENEFIT FROM THE CREDIT.

4    (H) *SHORT TITLE*.

5    THE TAX CREDIT ESTABLISHED UNDER THIS SECTION MAY BE CITED AS "ELLICOTT CITY

6    STRONG TAX CREDIT".

7

8    ***Section 2. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that*

9    *the tax credits authorized by this Act may be granted in taxable years beginning after June 30,*

10   *2016 and ending before July 1, 2018.*

11

12   ***Section 3. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that*

13   *this Act shall become effective 61 days after its enactment.*