

Introduced 11/7/16
Public Hearing 11/21/16
Council Action 12/5/16
Executive Action 12/9/16
Effective Date 2/8/17

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 17

Bill No. 74-2016

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the age of eligibility for the property tax credit for senior citizens; making certain technical corrections; and generally related to the real property tax credit for senior citizens.

Introduced and read first time November 7, 2016. Ordered posted and hearing scheduled.

By order

Jessica Feldmark
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 November 21, 2016.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on December 5 2016 and Passed , Passed with amendments _____, Failed _____.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 7th day of December 2016 at 5 a.m./p.m.

By order

Jessica Feldmark
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive Dec 9, 2016

Allan H. Kittleman
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; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that the Howard
2 County Code is amended as follows:

3
4 *By amending Title 20 "Taxes, Charges, and Fees"*
5 *Subsection (b) of Section 20.129 "Property tax credit for senior citizens"*
6

7 **Title 20. Taxes, Charges, and Fees.**

8 **Subtitle 1. Real Property Tax; Administration, Credits, And Enforcement.**

9 **Part III. State-Authorized Howard County Tax Credits.**

10
11 **Section 20.129. Property tax credit for senior citizens.**

12 (b) *Credit Established:*

13 (1) In accordance with section 9-245 of the [[tax-property article]] TAX-PROPERTY
14 ARTICLE of the Annotated Code of Maryland, the owner of real property may
15 receive a property tax credit against the County property tax imposed on the
16 property if the property is owned, wholly or partly, by an individual:

- 17 (i) Who is at least [[70]]65 years old;
- 18 (ii) Who uses the property as the individual's principal residence for at least
19 the period that would be required to qualify for the credit under section 9-
20 104 of the [[tax-property article]] TAX-PROPERTY ARTICLE of the
21 Maryland Annotated Code;
- 22 (iii) Who lives in a household with a combined income that does not exceed
23 500 percent of the most recent poverty guidelines for a household of two
24 individuals updated periodically in the Federal Register by the United
25 States Department of Health and Human Services under 42 U.S.C.
26 9902(2); and
- 27 (iv) Who lives in a household with a combined net worth that does not exceed
28 \$500,000.00.

29 (2) The amount of the credit shall equal 25 percent of the County property tax due in
30 the current year after applying the homestead credit authorized under section 9-
31 105 of the [[tax-property article]] TAX-PROPERTY ARTICLE of the Annotated Code

1 of Maryland.

2 (3) The amount of the credit shall be calculated after all other credits granted for that
3 property under this subtitle or the [[tax-property article]] TAX-PROPERTY ARTICLE
4 of the Annotated Code of Maryland have been applied so that the credit granted
5 under this section makes up any difference between (i) the sum of all the other
6 property tax credits and (ii) the amount that this credit would be if there were no
7 other credits.

8 (4) Property taxes attributable to an increase in the value of the property because of
9 substantial improvements to the property shall be excluded from the calculation
10 described in paragraph (2) of this subsection.

11
12 ***Section 2. 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.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on December 9, 2016.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2016.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2016.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2016.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2016.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2016.

Jessica Feldmark, Administrator to the County Council

COMMISSION ON AGING VIEWS ON PROPOSED COUNCIL BILLS ON THE SENIOR TAX CREDIT
AND AGING IN PLACE TAX CREDIT PROGRAMS

NOVEMBER 21, 2016

The Commission on Aging (COA) believes the bills currently under consideration to expand the Senior Tax Credit and to create a new Aging-in-Place Tax Credit are an excellent beginning to addressing the growing need to help ensure that our County's seniors can remain in their homes and continue to play a vibrant and important role in our community. Without this type of tax relief, many long-term resident seniors who have benefitted on paper from rising property values and who live on fixed incomes may have difficulty paying tax bills based on current valuations. The Commission strongly supports this important legislation. We strongly support this important legislation with modifications. We have suggestions which we believe will improve the bills:

Senior Tax Credit Program: The bill expands the eligibility pool of the current Credit by lowering the age of eligibility from 70 to 65 and keeps the "household net worth" exclusion at \$500,000. The bill continues the requirement that applicants first apply for the Maryland Homeowner's Property Tax Credit before being eligible to apply for the County's Senior Tax Credit.

The coordination of benefits makes sense; however, the bill establishes a "net worth" calculation that differs from the State's. This makes the coordination of benefits more complex and also makes the County's requirement more stringent than the State's which we do not believe is the intent. The State net worth calculation *excludes* "the cash value of any qualified retirement plan or individual retirement account." We believe the County bill should conform to the State's exclusionary language.

Aging-in-Place Tax Credit: We believe the intent of this bill is laudable. We suggest that the emphasis of the bill should be changed from "aging in place" to "*aging in community*" in line with developments in Federal policies in recent years which emphasize the continuity of senior residence in their home communities even if they choose to downsize their residences. This same emphasis is in other programs/services of Howard County.

1. The Tax Credit should be made portable for seniors wishing to downsize and to remain in Howard County. Because the proposed Tax Credit inheres to the property, it helps seniors age in place only as long as they can maintain and remain in their current home. The non-transferability of the credit provides a disincentive to seniors who may need to downsize their homes but remain in our community, Howard County. It makes it more difficult and expensive for senior homeowners when they can no longer maintain an existing property but seek to downsize since the loss of the credit could have the effect of increasing real estate taxes. For seniors on fixed incomes, this could be a serious burden. It inadvertently defeats the goal of aging in community.
2. We support the reduction of the eligibility period of continuous residence from 40 to 25 years. This also is being introduced by Senator Gail Bates as state legislation. The 40-year requirement seems overly restrictive since a 65-year-old would have to have purchased their home at age 25 in

order to have lived there 40 years by age 65. We think that the requirement that the homeowner live in the same dwelling for 40 (or 25 years) is too stringent if the rationale for the legislation is that residents 65+ generally live on fixed incomes. We recommend that the requirement be modified to require the homeowner to have *lived in Howard County, not necessarily in the same dwelling*, for 25 years. Many long-term residents in the County moved into starter homes, moved up as family circumstances warranted and now may need to downsize. We also believe that there are circumstances where an individual could be hospitalized in an out-of-county hospital or rehabilitation center for recuperation for an extended period of time and that this period should not invalidate previously accumulated credit of resident time towards the Credit.

3. We believe the five-year limit on the Tax Credit should be removed and the Tax Credit should continue for as long as the individual remains in the County. The need for the Credit does not diminish over time. In fact, for those taxpayers on fixed income the need would be higher after the five-year period.
4. We note that while the proposed bill defines "Armed Forces of the United States," it does not define "retired member of the Armed Forces." It is not clear if the credit would be available to only members of the armed forces of the United States who have officially retired from the military and are age 65 or older or if it would be available to all former members of the armed forces who have reached age 65.

The proposed legislation also raises several questions:

1. Is the application of the Aging-in-Place Credit coordinated with the also existing Homestead Tax Credit which applies to all County homeowners? The proposed legislation states that all other credits must be applied for before the Senior Tax Credit is granted. However, we find no similar statement about the Aging-in-Place/Community Tax Credit.
2. How will these programs be publicized so that eligible senior taxpayers can avail themselves of these programs? There is reference in the Aging-in-Place/Community bill about publicity, but no reference in the Senior Tax Credit bill. The Commission feels strongly that merely "publicizing" these has been insufficient – more needs to be done such as putting a flyer into the tax bill to call attention to these possibilities. Seniors simply are unaware of them.
3. If a senior is eligible for assistance under the Senior Tax Credit program would the taxpayer be eligible for the Aging in Place/Community Tax Credit in a different year? Could a senior use one in a given year and the other the next?

Thank you for this opportunity to comment on the proposed legislation.

Sharonlee J. Vogel, Chair

Commission on Aging, Howard County, MD

410/992-1997, 8725 Warm Waves Way, Columbia, MD 21045

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Commission on Aging, Howard County, MD

410/992-1997, 8725 Warm Waves Way, Columbia, MD 21045



Howard County

Internal Memorandum

Subject: Testimony on Council Bill No. 74-2016; amending the age of eligibility for the senior property tax credit.

To: Lonnie R. Robbins
Chief Administrative Officer

From: Stanley Milesky,
Director of the Department of Finance

Date: October 26, 2016

Synopsis of Current Senior Tax Credit

Currently, the Senior Tax Credit is granted for property that is owned, wholly or partly, by an individual who is at least 70 years old, uses the property as their principal residence, and lives in a household with a combined gross income that does not exceed 500% of the Federal poverty guidelines for a household of 2 and net worth that does not exceed \$500,000.

The combined gross income is defined in the same manner that combined gross income is defined for the State's Homeowners Tax Credit program and for FY17 the limit is \$80,100.

Net Worth means, after deducting outstanding liabilities, the sum of the current market value of all assets including real property, cash, savings accounts, bonds, and other investments; but not including the dwelling for which a property tax credit is sought, the cash value of any life insurance policies on the life of the homeowner, and tangible personal property.

The amount of the credit is 25% of the County Property Tax for the year after applying the Homestead Tax Credit. If an applicant has a combined gross household income less than \$45,000, they are required to also file for the State Homeowner's Tax Credit which can be substantially higher than the Senior Tax Credit for lower income applicants. The Senior Tax Credit is granted only if the amount of the State Homeowner's Tax Credit applied to County Taxes is less than 25% of County Taxes.

This credit was designed to assist seniors whose income and assets disqualified them from the State Homeowner's Tax Credit, but who were having difficulty paying taxes on their primary residences. It was designed to help seniors age in place.

Subsequent to the passage of this credit, the State Legislature lowered minimum age for eligibility from 70 to 65. The proposed legislation would lower the age of eligibility to be 65 in accordance with the State authority. Information on the credits issued in the last three years is included in the table below:

Year	FY16	FY15	FY14	FY13	FY12	FY11
# Credits	732	735	749	753	764	802
Amount	\$522,679	\$500,657	\$504,074	\$484,292	\$479,343	\$494,745
Avg. Credit	\$714	\$681	\$673	\$643	\$627	\$617

Financial Impact of Extending Credit to Age 65

Using population figures for Howard County from the U.S. Census Bureau for July 1, 2015 released on 6/23/16 and FY16 Senior Tax Credit Data, the following information was compiled:

Age Range	Population report	Senior Credit Recipients	% of total Population
70-74	10236	175	1.71%
75-79	6355	219	3.45%
80-84	4185	189	4.52%
85+	4468	149	3.33%

Note that at later ages a larger percentage of total population is getting the credit. This might be due to greater household income at earlier ages as many seniors are working past 65 and even 70. Also, assets that were once above the \$500,000 threshold may be spent down by later ages thus allowing owners to qualify who had not previously. The drop off at age 85 may be due to seniors moving in with other relatives or into other facilities as they give up home ownership.

In evaluating the potential revenue loss of lowering the qualifying age to 65, various scenarios for percentage of total population being eligible were considered.

Age Range	Population report	Senior Credit Recipients	% of total Population	Revenue Loss
65-69	14436	72	0.50%	\$ 51,411.00
65-69	14436	108	0.75%	\$ 77,117.00
65-69	14436	144	1.00%	\$ 102,822.00
65-69	14436	180	1.25%	\$ 128,528.00
65-69	14436	217	1.50%	\$ 154,947.00

Given the likelihood that some in this population are still working and therefore ineligible for the credit or that assets were more likely to be above the threshold, the percentage of the population between 65 and 69 who could avail themselves of this credit is probably lower than the age 70 to 74 cohort. For budget purposes, \$100K would be conservative estimate.

CB 74 , CB 75 - 2016

2016 Legislative Session - "Property Tax Credit for 65+ and Veterans"

SK

Stu Kohn <stukohn@verizon.net>

Reply all |

Mon 10/31, 8:49 PM

Kittleman, Allan; Wilson, B Diane; CouncilMail; howard-citizen@yahoo.com

News Realease - Senior-...
166 KBHCCA - Property Tax Cr...
43 KB**FILE COPY**

2 attachments (209 KB) Download all

FYI,

Just wanted to share the News Release regarding the Howard County Citizens Association (HCCA) see below or the attachment (HCCA – Property Tax Credit for 65+ and Veterans) recent inquiry sent to County Executive Allan Kittleman and the County Council about legislation regarding "Property Tax Credit for 65+ and Veterans." The good news is the Administration was ahead of our request for potential action. The legislation is scheduled to be introduced by the County Council on 7 Nov, the Public Hearing is on 21 Nov, and the Final Vote by the Council is scheduled for 5 Dec. All will be held starting at 7PM located at the George Howard Building in the Banneker room.

We are proud to say our HCCA Board Member, Paul Verchinski has for years been very involved in Aging in Place Topics. He has been pursuing this particular subject with our elected officials which is deeply appreciated by our HCCA Board and by our members.

We hope that the Council will unanimously pass this legislation.

Sincerely,

Stu Kohn
HCCA, President

Date: October 27, 2016

Subject: Maryland Enacted House Bill 898, 2016 Legislative Session, "Property Tax Credit - Elderly Individuals and Veterans" (HB898)

To: Chairman Dr. Calvin Ball, Howard County Council
Jen Terresa, Howard County Council

Paul Verchinski of the Howard County Citizens Association (HCCA) Board met with you on September 6th regarding the above referenced Subject. HB898 provides state enabling legislation for Howard County to enact its own property tax credit for the elderly and veterans. The HCCA Board unanimously endorsed HB898 suggestions made to you by Paul Verchinski at our Board meeting on October 18.

To reiterate, the suggestions were as follows:

1. Provide a 20% property tax credit for a period of 5 years for all residents that are 65 or older and have lived in the same dwelling for at least the last 40 years, and
2. Provide a 20% property tax credit for a period of 5 years for veterans that are 65 or older and have lived in the same dwelling for at least the last 10 years.

As you know, the cost of living is very high in Howard County and retirees typically experience a 50%+ cut in their income when they retire. This will aid retirees and veterans financially. Retirees who have paid Howard County property taxes for 40+ years have paid at an average minimum of approximately \$100,000 to \$200,000+ during this period.

If you desire, HCCA would assist you in developing this needed legislation.

Sincerely,

Stu Kohn
HCCA, President



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

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As you know, the cost of living is very high in Howard County and retirees typically experience a 50%+ cut in their income when they retire. This will aid retirees and veterans financially. Retirees who have paid Howard County property taxes for 40+ years have paid at an average minimum of approximately \$100,000 to \$200,000+ during this period.

If you desire, HCCA would assist you in developing this needed legislation.

Sincerely,

Stu Kohn
HCCA, President

cc: County Council - Greg Fox, Jon Weinstein, Mary Kay Sigaty
County Executive Allan Kittleman



Howard County Government News Release

Office of Public Information
3430 Courthouse Drive
Ellicott City, Maryland 21043

410-313-2022 / FAX 410-313-3390 / www.howardcountymd.gov

Deidre N. McCabe
Director of Communications
dmccabe@howardcountymd.gov

October 25, 2016

Media Contact:

Deidre McCabe, Director of Communications, Office of Public Information, 410-313-2022
Starr Sowers, Administrator, Office on Aging and Independence, 410-313-6410
Lisa Terry, Administrator, Office of Veterans and Military Families, 410-313-6400

Executive Kittleman seeks expansion of Senior Tax Credit and creation of Aging-in-Place Tax Credit

ELLICOTT CITY, MD – To help Howard County seniors and retired military age in place, County Executive Allan H. Kittleman today announced he will seek expansion of the Senior Tax Credit and the creation of additional tax credits for eligible homeowners.

Kittleman said the reason to expand tax credits comes as the overall county population continues to age. In 2010, 10 percent of residents were 65 or older. By 2025, this will increase to 18 percent and by 2035, nearly 22 percent.

“We need to make sure our residents are given an opportunity to stay in their homes,” said Kittleman. “It’s absolutely critical we plan for this and have mechanisms in place to assist them.”

Providing additional services to the county’s senior population has been a priority since taking office, Kittleman said. He has elevated the county’s Office on Aging and Independence administrator to a cabinet-level position and has renamed all senior centers to 50+ Centers to accommodate the growing demand for services, including from aging Baby Boomers.

Currently, the Senior Tax Credit is granted to property owners who are at least 70 years old, use the property as their principal residence and live in a household with combined gross income not exceeding 500 percent of the federal poverty guidelines for a household of two, which is about \$80,000 for Fiscal Year 2017. The household must have a net worth that does not exceed \$500,000.

The proposed legislation would reduce eligibility to age 65, expanding the potential number of county property owners who could qualify based on age from 26,000 to more than 40,000.

The second piece of legislation would create the Aging-in-Place Tax Credit, providing a 20 percent tax credit on up to \$500,000 of assessed property value. This credit would be granted for up to five years.

-- more --

Executive Kittleman seeks expansion of Senior Tax Credit and creation of Aging-in-Place Tax Credit

(continued)

The Maryland General Assembly passed state-wide enabling legislation for this additional tax credit through House Bill 898 during the 2016 Legislative Session. Local legislation must be passed for this tax credit to be available in Howard County. Kittleman said he wants seniors and retired military in Howard County to have full advantage of these options.

House Bill 898 enables this tax credit for owners of occupied property who are 65 or older and have lived on their property for at least 40 years. This credit also is available to retired members of the armed forces of the United States, who are at least 65 years of age.

Kittleman has discussed this issue with Howard County State Senator Gail Bates and fully supports state legislation she plans to introduce to reduce the time homeowners must have lived on their properties from 40 years to 25. This change would expand the number of seniors eligible for this tax credit.

“This seems like a reasonable change, allowing many more seniors to take advantage of this,” said Bates. “It’s getting increasingly difficult for many older residents on fixed incomes to stay in Howard County. We have to do what we can to fix this problem.”

“These changes will make a tremendous difference for many older residents, allowing them to stay in their homes,” said Starr Sowers, Administrator of the Office on Aging and Independence. “Most seniors want to remain in the homes where they have lived for decades. But many are on fixed incomes and as their property taxes rise, they find they cannot afford it.”

Kittleman, who created an Office of Veterans and Military Families within the Department of Community Resources and Services, strongly advocates improved property tax credits for retired military personnel living in Howard County.

“We’re seeing more retired military, particularly from Ft. Meade and other area installations, choosing to stay in or relocate to Howard County,” said Kittleman. “Just as with our seniors, we are committed to having support services and tax credits in place to allow these residents to stay in the County if that’s their desire.”

“It’s encouraging to see the County Executive’s commitment to our veterans and military families,” said Lisa Terry, Administrator of the Office of Veterans and Military Families. “These initiatives make a real difference in their quality of life and make Howard County an attractive place for them to live.”

Kittleman’s tax credit bills will be prefiled with the County Council this Thursday. The Council will have a public hearing on the bills November 21 and vote on them on December 5.

###

Reply all | Delete Junk |

Fwd: Tax Credits for property owners over 65



Clay, Mary
Sun 10/30, 1:36 PM
CouncilMail

Reply all |

Begin forwarded message:

From: james rogers <jcrog4200@hotmail.com>
Date: October 29, 2016 at 8:20:26 PM EDT
To: "Clay, Mary" <mclay@howardcountymd.gov>
Subject: Tax Credits for property owners over 65

Hello Mary,

I would like to request that our Council support Mr Kittleman's plan to increase tax credits and lower eligibility to age 65. This will be a major help for retirees in Howard County. Our region, and entire state, is an expensive place to live. Please help us to be able to retire near our families in Howard County.

Thank you very much,

James and Mary Rogers

8747 Teresa Ln

Scaggsville

Reply all | Delete Junk |

Enabling Property Tax Credit - Elderly Individuals and Veterans" (HB898)

SK

Stu Kohn <stukohn@verizon.net>

Reply all |

Fri 10/28, 8:23 PM

Kittleman, Allan; Wilson, B Diane; CouncilMail; +9 more

HCCA - Property Tax Cr...

43 KB

Download

Action Items

Dear County Executive and Council Members,

Please see the attachment which the Howard County Citizens Association (HCCA) is asking you to please consider to enable the Property Tax Credit Legislation.

Sincerely,

Stu Kohn
HCCA, President

Cc: HCCA Board Members



HCCA

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