

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 1

Bill No. 7-2018

Introduced by: The Chairperson at the request of the County Executive and Calvin Ball and cosponsored by Greg Fox, Jennifer Terrasa, and Jon Weinstein.

AN ACT establishing a tax credit against the County property tax imposed on certain real property that is owned by certain public safety officers under certain circumstances; establishing the amount, terms, and conditions of the credit; and generally relating to real property tax credits.

2, 2018. Ordered posted and hearing scheduled. Introduced and read first time By order Jessica Feldmark, Administrator Having been posted and notice of time & place of hearing & title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing on 2, 2018. By order Jessica Feldmark, Administrator This Bill was read the third time on 2018 and Passed , Passed with amendments . Failed By order an Jessica Feldmark, Administrator Sealed with the County Seal and presented to the County Executive for approval this day of au 2018 at 4: a.m./p.m. By orde Jessica Feldmark, Administrator Approved Vetoed by the County Executive 2018

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

Allan H. Kittleman, County Executive

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 adding Title 20 "Taxes, Charges, and Fees"
5	Section 20.129F "Property tax credit for real property owned by certain public safety
6	officers"
7	
8	Title 20. Taxes, Charges, and Fees.
9	Subtitle 1. Real Property Tax; Administration, Credits, And Enforcement.
10	Part III. State-Authorized Howard County Tax Credits.
11	
12	SECTION 20.129F. PROPERTY TAX CREDIT FOR REAL PROPERTY OWNED BY CERTAIN PUBLIC
13	SAFETY OFFICERS.
14	(A) DEFINITIONS. IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:
15	(1) $DWELLING$ has the meaning set forth in Section 9-105 of the Tax-Property Article
16	OF THE ANNOTATED CODE OF MARYLAND.
17	(2) Public Safety Officer has the meaning set forth in Section 9-260 of the Tax-
18	PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
19	(B) CREATION. IN ACCORDANCE WITH SECTION 9-260 OF THE TAX-PROPERTY ARTICLE OF THE
20	ANNOTATED CODE OF MARYLAND, THERE IS A HOWARD COUNTY PROPERTY TAX CREDIT AGAINST
21	THE TAX ON REAL PROPERTY THAT QUALIFIES UNDER THIS SECTION.
22	(C) <i>ELIGIBILITY - GENERALLY</i> . A PUBLIC SAFETY OFFICER IS ELIGIBLE FOR A TAX CREDIT UNDER THIS
23	SECTION IF THE PUBLIC SAFETY OFFICER:
24	(1) IS EMPLOYED FULL-TIME BY:
25	(I) THE HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES AS A
26	FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN;
27	(II) THE HOWARD COUNTY DEPARTMENT OF POLICE AS A POLICE OFFICER;
28	(III) THE HOWARD COUNTY DEPARTMENT OF CORRECTIONS AS A
29	CORRECTIONAL OFFICER; OR
30	(IV) THE HOWARD COUNTY SHERIFF'S OFFICE AS A DEPUTY SHERIFF;

1	(12)	Does not receive a tax credit pursuant to Section 20.129 or 20.129E of this				
1	(4 <u>2</u>)					
2	CODE FOR THE SAME REAL PROPERTY; AND					
3	(2 <u>3</u>)	HAS COMPLETED THE EMPLOYMENT PROBATIONARY PERIOD AND IS EMPLOYED BY A				
4		LIC SAFETY AGENCY IN HOWARD COUNTY.				
5		<i>ITY – VOLUNTEER FIREFIGHTER</i> . A PUBLIC SAFETY OFFICER WHO IS A HOWARD COUNTY				
6	VOLUNTEER	FIREFIGHTER IS ELIGIBLE FOR A TAX CREDIT UNDER THIS SECTION IF THE PUBLIC SAFETY				
7	OFFICER:					
8	<u>(1)</u>	Is a member of a volunteer fire corporation listed in Section $17.103(A)$ of				
9		THIS CODE;				
10	(2)	MEETS THE OPERATIONAL STANDARD FOR VOLUNTEER PERSONNEL AS				
11		established by General Order of the Department of Fire and Rescue				
12		Services;				
13	(1 <u>3</u>)	Does not receive a tax credit pursuant to Section 20.129 or 20.129E of this				
14		CODE FOR THE SAME REAL PROPERTY;				
15	(2 <u>4</u>)	Has maintained an active service standard under Section 17.103 of this				
16		CODE FOR THE PRECEDING CALENDAR YEAR; AND				
17	(3) Has	BEEN A VOLUNTEER FIREFIGHTER FOR 10 YEARS CONTINUOUSLY.				
18	<u>(5) Has</u>	MAINTAINED AN ACTIVE SERVICE STANDARD UNDER SECTION 17.103 OF THIS CODE AS				
19	<u>A V(</u>	DLUNTEER FIREFIGHTER FOR AT LEAST 5 YEARS CONTINUOUSLY				
20	(E) AMOUN	t of Credit:				
21	(1) Sub	JECT TO THE CONDITIONS IN THIS SECTION, THE TAX CREDIT MAY BE GRANTED IN AN				
22	AMOUNT OF <u>UP TO</u> \$2,500 PER DWELLING, BUT NOT TO EXCEED THE AMOUNT OF THE TAX ON					
23	THE	PROPERTY.				
24	(2) The	PUBLIC SAFETY OFFICER SHALL RECEIVE:				
25	(I)	In tax year 2019, 50% of the tax credit authorized by this Section; and				
26	(II)	In tax year 2020 and beyond, 100% of the tax credit authorized by this				
27		Section.				
28	(f) <i>Termina</i>	ATION OF CREDIT. THE TAX CREDIT CREATED BY THIS SECTION SHALL TERMINATE AND				
29		SAFETY OFFICER WILL NOT BE ELIGIBLE IF ANY OF THE FOLLOWING OCCURS:				
30		PUBLIC SAFETY OFFICER IS NO LONGER EMPLOYED FULL TIME BY THE PUBLIC SAFETY				
31		ENCY, OR NO LONGER ELIGIBLE UNDER SUBSECTION (D) FOR VOLUNTEER FIREFIGHTERS				

1 AND:

9

- 2 (I) IF THE PUBLIC SAFETY OFFICER WAS SEPARATED FROM EMPLOYMENT "FOR CAUSE" AS 3 SET FORTH IN SECTION 1.115 OF THIS CODE, THE FORMER PUBLIC SAFETY OFFICER SHALL 4 BE LIABLE FOR:
- 5 A. ALL OF THE PROPERTY TAXES THAT THE OFFICER WOULD HAVE BEEN LIABLE FOR IN 6 THE TAXABLE YEAR OF THE SEPARATION OF EMPLOYMENT, AS IF THE TAX CREDIT 7 HAD NOT BEEN GRANTED UNDER THIS SECTION; AND
- 8 B. ALL INTEREST AND PENALTIES ON THOSE TAXES COMPUTED IN THE MANNER SET FORTH IN SECTION 20.203 OF THIS TITLE; OR
- 10 (II) IF THE PUBLIC SAFETY OFFICER SEPARATED FROM EMPLOYMENT FOR REASONS OTHER THAN "FOR CAUSE" AS SET FORTH IN SECTION 1.115 OF THIS CODE, THE TAX CREDIT 11 12 SHALL BE APPLIED ONLY TO THE PORTION OF THE TAXABLE YEAR FOR WHICH THE 13 OFFICER WAS ELIGIBLE FOR THE TAX CREDIT AND THE FORMER PUBLIC SAFETY OFFICER 14 SHALL BE LIABLE FOR ALL REMAINING PROPERTY TAXES.
- 15 (2) THE PUBLIC SAFETY OFFICER NO LONGER RESIDES IN OR OWNS THE DWELLING FOR WHICH 16 THE CREDIT WAS GRANTED.
- (G) Application. To receive the credit, a property owner shall submit an application to 17

18 THE COUNTY BY A DATE SET BY THE DIRECTOR OF THE DEPARTMENT OF FINANCE.

19 (G) APPLICATION AND ANNUAL VERIFICATION. ON OR BEFORE THE DATE THAT THE DEPARTMENT SETS,

20 AN INDIVIDUAL SEEKING A CREDIT UNDER THIS SECTION MUST SUBMIT TO THE DEPARTMENT OF

- 21 FINANCE:
- 22 (1)AN APPLICATION IN THE FORM THAT THE DEPARTMENT REQUIRES; AND

23 (2)DURING EACH SUBSEQUENT YEAR, THE VERIFICATION THAT THE DEPARTMENT

24 REQUIRES TO SHOW THAT THE INDIVIDUAL AND THE PROPERTY REMAIN QUALIFIED FOR THE 25 CREDIT.

- (H) PUBLICITY. THE DEPARTMENT OF FINANCE SHALL PUBLICIZE THE CREDIT AUTHORIZED BY THIS 26
- 27 SECTION IN A WAY DESIGNED TO INFORM THOSE MOST LIKELY TO BENEFIT FROM THE CREDIT.
- 28 "(I) *Report*. Within 30 days after the end of tax year 2024, the County Executive shall
- SUBMIT TO THE COUNTY COUNCIL A REPORT ON THE EFFECTIVENESS OF THE TAX CREDIT AS A 29

LIVE-WHERE-YOU-WORK INCENTIVE. THE REPORT SHALL INCLUDE ANNUAL DATA FOR EACH PUBLIC 30

31 SAFETY AGENCY OR COMPANY ON:

- 1 (1) THE UTILIZATION OF THE TAX CREDIT; AND
- 2 (2) THE PERCENTAGE OF PUBLIC SAFETY OFFICERS WHO LIVE IN THE COUNTY.
- 3
- 4 Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that
- 5 *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

>, 2018. son 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 ______, 2018.

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 ______, 2018.

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 ______, 2018.

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 ______, 2018.

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 ______, 2018.

Jessica Feldmark, Administrator to the County Council

Amendment to Council Bill No. 7-2018

BY: The Chairperson at the request of the County Executive and Calvin Ball

Legislative Day No. 2 Date: February 5, 2018

Amendment No.

(This amendment:

- (1) Clarifies the agencies for which a public safety officer must be employed;
- (2) Requires that a volunteer firefighter meet operational standards set forth by the Department of Fire and Rescue Services;
- (3) Amends the required years of active service for volunteer firefighters to be 5 years continuously, instead of 10;
- (4) Amends the application process to require annual verification; and
- (5) Amends the sponsorship of Council Bill No. 7-2018.
- On the cover page, after "Introduced by: The Chairperson at the request of the County 1

2	Executive".	insert "and	Calvin Ball	and	cosponsored by	Greg Fox.	, Jennifer	Terrasa,	and Jon
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- 3 Weinstein.
- 4

On page 1, after line 23, insert: 5

6	(1) IS EMPLOY	(1) IS EMPLOYED FULL-TIME BY:				
7	<u>(I)</u>	THE HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES AS A				
8		FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN;				
9	<u>(II)</u>	THE HOWARD COUNTY DEPARTMENT OF POLICE AS A POLICE OFFICER;				
10	<u>(III)</u>	THE HOWARD COUNTY DEPARTMENT OF CORRECTIONS AS A				
11		CORRECTIONAL OFFICER; OR				
12	(IV)	THE HOWARD COUNTY SHERIFF'S OFFICE AS A DEPUTY SHERIFF;				

<u>The Howard County Sheriff's Office as a deputy sheriff;</u> (IV)

13

On page 1, in line 24, strike "1" and substitute "2". 14

15

On page 1, in line 26, strike "2" and substitute "3" and strike "AND IS EMPLOYED BY A PUBLIC". 16

17

On page 1, in line 27, strike "SAFETY AGENCY IN HOWARD COUNTY". 18

1	On page 1, af	ter line 30, insert:				
2	"(1)	IS A MEMBER OF A VOLUNTEER FIRE CORPORATION LISTED IN SECTION 17.103(A) OF				
3		THIS CODE;				
4	(2)	MEETS THE OPERATIONAL STANDARD FOR VOLUNTEER PERSONNEL AS				
5		ESTABLISHED BY GENERAL ORDER OF THE DEPARTMENT OF FIRE AND RESCUE				
6		SERVICES;".				
7						
8	On page 1, in line 31, strike "1" and substitute " <u>3</u> ".					
9						
10	On page 2, in	line 2, strike "2" and substitute " <u>4</u> ".				
11						
12	On page 2, st	rike line 4 and substitute:				
13	" <u>(5) Has mai</u>	NTAINED AN ACTIVE SERVICE STANDARD UNDER SECTION 17.103 OF THIS CODE AS A				
14	VOLUNTEER F	TREFIGHTER FOR AT LEAST 5 YEARS CONTINUOUSLY.".				
15						
16	On page 2, in	line 7, after "OF" insert " <u>UP TO</u> " and, in the same line, after "DWELLING" insert ",				
17	<u>BUT NOT TO E</u>	EXCEED THE AMOUNT OF THE TAX ON THE PROPERTY".				
18						
19	On page 3, st	rike lines 1 and 2, inclusive and in their entirety, and substitute:				
20	" <u>(G) Applica</u>	TION AND ANNUAL VERIFICATION.				
21	<u>On or befor</u>	RE THE DATE THAT THE DEPARTMENT SETS, AN INDIVIDUAL SEEKING A CREDIT UNDER				
22	THIS SECTION	MUST SUBMIT TO THE DEPARTMENT OF FINANCE:				
23	(1)	AN APPLICATION IN THE FORM THAT THE DEPARTMENT REQUIRES; AND				
24	(2)	DURING EACH SUBSEQUENT YEAR, THE VERIFICATION THAT THE DEPARTMENT				
25		REQUIRES TO SHOW THAT THE INDIVIDUAL AND THE PROPERTY REMAIN QUALIFIED				
26		FOR THE CREDIT.".				

Amendment <u>2</u> to Council Bill No. 7-2018

BY: Mary Kay Sigaty

Legislativ	ve Da	y No	. 2
Date:	2	5	18

Amendment No. 2

(This amendment requires a report.)

- 1 On page 3, at line 5, insert:
- 2 "<u>(I) Report.</u>

7

- 3 WITHIN 30 DAYS AFTER THE END OF TAX YEAR 2024, THE COUNTY EXECUTIVE SHALL SUBMIT TO
- 4 THE COUNTY COUNCIL A REPORT ON THE EFFECTIVENESS OF THE TAX CREDIT AS A LIVE-WHERE-
- 5 YOU-WORK INCENTIVE. THE REPORT SHALL INCLUDE ANNUAL DATA FOR EACH PUBLIC SAFETY
- 6 AGENCY OR COMPANY ON:
 - (1) THE UTILIZATION OF THE TAX CREDIT; AND
 - (2) THE PERCENTAGE OF PUBLIC SAFETY OFFICERS WHO LIVE IN THE COUNTY."

215/18 Jessica Jeldmant ABOPTED . SIGNATU

	Introduced
	Public Hearing —
	Council Action ———
	Executive Action ———
	Effective Date
County Council of Howard	County, Maryland
2018 Legislative Session	Legislative Day No.
Bill No	2018
Introduced by: The Chairperson at the r	equest of the County Executive
AN ACT establishing a tax credit against the County prop	erty tax imposed on certain real property that is
owned by certain public safety officers under certain	in circumstances; establishing the amount, terms,
and conditions of the credit; and generally relating	
and conditions of the creat, and generally relating	, to real property tax oregits.
Introduced and read first time, 2018. Ordered posted	and hearing scheduled.
By order	
J old J	essica Feldmark, Administrator
Having been posted and notice of time & place of hearing & title of Bill having second time at a public hearing on, 2018.	been published according to the Charter, the Bill was read for a
second time at a public heating on, 2010.	
By order	
	Jessica Feldmark, Administrator
This Bill was read the third time on, 2018 and Passed, Passe	ed with amendments, Failed
By order	Jessica Feldmark, Administrator
Sealed with the County Seal and presented to the County Executive for approv	al thisday of, 2018 at a.m./p.m.
Prorder	
By order	Jessica Feldmark, Administrator
Approved/Vetoed by the County Executive, 2018	
7	Allan H. Kittleman, County Executive
NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SM	ALL CAPITALS indicates additions to existing law; Strike-out
indicates material deleted by amendment; <u>Underlining</u> indicates material added	1 by amendment

N. V.

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 adding Title 20 "Taxes, Charges, and Fees"
5	Section 20.129F "Property tax credit for real property owned by certain public safety
6	officers"
7	
8	Title 20. Taxes, Charges, and Fees.
9	Subtitle 1. Real Property Tax; Administration, Credits, And Enforcement.
10	Part III. State-Authorized Howard County Tax Credits.
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12	SECTION 20.129F. PROPERTY TAX CREDIT FOR REAL PROPERTY OWNED BY CERTAIN PUBLIC
13	SAFETY OFFICERS.
14	(A) DEFINITIONS. IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:
15	(1) DWELLING HAS THE MEANING SET FORTH IN SECTION 9-105 OF THE TAX-PROPERTY ARTICLE
16	OF THE ANNOTATED CODE OF MARYLAND.
17	(2) PUBLIC SAFETY OFFICER HAS THE MEANING SET FORTH IN SECTION 9-260 OF THE TAX-
18	PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.
19	(B) Creation. In accordance with Section 9-260 of the Tax-Property Article of the
20	ANNOTATED CODE OF MARYLAND, THERE IS A HOWARD COUNTY PROPERTY TAX CREDIT AGAINST
21	THE TAX ON REAL PROPERTY THAT QUALIFIES UNDER THIS SECTION.
22	(C) <i>Eligibility - Generality</i> . A public safety officer is eligible for a tax credit under this
23	SECTION IF THE PUBLIC SAFETY OFFICER:
24	(1) Does not receive a tax credit pursuant to Section 20.129 or 20.129E of this Code
25	FOR THE SAME REAL PROPERTY; AND
26	(2) HAS COMPLETED THE EMPLOYMENT PROBATIONARY PERIOD AND IS EMPLOYED BY A PUBLIC
27	SAFETY AGENCY IN HOWARD COUNTY.
28	(D) <i>ELIGIBILITY – VOLUNTEER FIREFIGHTER</i> . A PUBLIC SAFETY OFFICER WHO IS A HOWARD COUNTY
29	VOLUNTEER FIREFIGHTER IS ELIGIBLE FOR A TAX CREDIT UNDER THIS SECTION IF THE PUBLIC SAFETY
30	OFFICER:
31	(1) DOES NOT RECEIVE A TAX CREDIT PURSUANT TO SECTION 20.129 OR 20.129E OF THIS CODE

1	FOR THE SAME REAL PROPERTY;
2	(2) HAS MAINTAINED AN ACTIVE SERVICE STANDARD UNDER SECTION 17.103 of this Code for
3	THE PRECEDING CALENDAR YEAR; AND
4	(3) HAS BEEN A VOLUNTEER FIREFIGHTER FOR 10 YEARS CONTINUOUSLY.
5	(E) AMOUNT OF CREDIT:
6	(1) SUBJECT TO THE CONDITIONS IN THIS SECTION, THE TAX CREDIT MAY BE GRANTED IN AN
7	AMOUNT OF \$2,500 PER DWELLING.
8	(2) THE PUBLIC SAFETY OFFICER SHALL RECEIVE:
9	(I) IN TAX YEAR 2019, 50% OF THE TAX CREDIT AUTHORIZED BY THIS SECTION; AND
10	(II) IN TAX YEAR 2020 AND BEYOND, 100% OF THE TAX CREDIT AUTHORIZED BY THIS
11	SECTION.
12	(F) TERMINATION OF CREDIT. THE TAX CREDIT CREATED BY THIS SECTION SHALL TERMINATE AND
13	THE PUBLIC SAFETY OFFICER WILL NOT BE ELIGIBLE IF ANY OF THE FOLLOWING OCCURS:
14	(1) The public safety officer is no longer employed full time by the Public Safety
15	AGENCY, OR NO LONGER ELIGIBLE UNDER SUBSECTION (D) FOR VOLUNTEER FIREFIGHTERS
16	AND:
17	(I) IF THE PUBLIC SAFETY OFFICER WAS SEPARATED FROM EMPLOYMENT "FOR CAUSE" AS
18	SET FORTH IN SECTION 1.115 OF THIS CODE, THE FORMER PUBLIC SAFETY OFFICER SHALL
19	BE LIABLE FOR:
20	A. ALL OF THE PROPERTY TAXES THAT THE OFFICER WOULD HAVE BEEN LIABLE FOR IN
21	THE TAXABLE YEAR OF THE SEPARATION OF EMPLOYMENT, AS IF THE TAX CREDIT
22	HAD NOT BEEN GRANTED UNDER THIS SECTION; AND
23	B. All interest and penalties on those taxes computed in the manner set
24	FORTH IN SECTION 20.203 OF THIS TITLE; OR
25	(II) IF THE PUBLIC SAFETY OFFICER SEPARATED FROM EMPLOYMENT FOR REASONS OTHER
26	THAN "FOR CAUSE" AS SET FORTH IN SECTION 1.115 OF THIS CODE, THE TAX CREDIT
27	SHALL BE APPLIED ONLY TO THE PORTION OF THE TAXABLE YEAR FOR WHICH THE
28	OFFICER WAS ELIGIBLE FOR THE TAX CREDIT AND THE FORMER PUBLIC SAFETY OFFICER
29	SHALL BE LIABLE FOR ALL REMAINING PROPERTY TAXES.
30	(2) THE PUBLIC SAFETY OFFICER NO LONGER RESIDES IN OR OWNS THE DWELLING FOR WHICH
31	THE CREDIT WAS GRANTED.

- (G) Application. To receive the credit, a property owner shall submit an application to
 THE COUNTY BY A DATE SET BY THE DIRECTOR OF THE DEPARTMENT OF FINANCE.
 (H) PUBLICITY. THE DEPARTMENT OF FINANCE SHALL PUBLICIZE THE CREDIT AUTHORIZED BY THIS
 Section IN A WAY DESIGNED TO INFORM THOSE MOST LIKELY TO BENEFIT FROM THE CREDIT.
- 6 Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that
- 7 this Act shall become effective 61 days after its enactment.