

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 7

Resolution No. 90 -2021

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

A RESOLUTION adopting the Transfer Tax, the tax on every instrument of writing conveying title to real or leasehold property offered for a record and recorded in Howard County with the Clerk of the Circuit Court, and providing for certain exemptions from the tax.

Introduced and read first time May 3, 2021.

By order Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on May 17, 2021.

By order Michelle Harrod
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on May 26, 2021.

Certified By Michelle Harrod
Michelle Harrod, Administrator

Approved by the County Executive June 3, 2021

Calvin Ball
Calvin Ball, 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 **WHEREAS**, Article 14, Section 20.300 of the Public Local Laws of Maryland
2 authorizes the County to impose a tax on every instrument of writing conveying title to real or
3 leasehold property offered for a record and recorded in Howard County with the Clerk of the
4 Circuit Court; and

5
6 **WHEREAS**, this tax is known as the “Transfer Tax”; and

7
8 **WHEREAS**, pursuant to Article 14, Section 20.300 of the Public Local Laws of
9 Maryland, the Transfer Tax is not imposed on conveyances to the state or to any agency or
10 instrumentality thereof, or any political subdivision of the state, or any nonprofit hospital or
11 religious or charitable organization, association or corporation and to the conveyance of
12 moderate income housing units; and

13
14 **WHEREAS**, subject to certain criteria, Section 20.300(b) of Article 14 of the Public
15 Local Laws of Maryland provides that the sale of residential property to teachers, law
16 enforcement officers, or fire and rescue services members may be subject to a reduced or
17 exempted Transfer Tax rate; and

18
19 **WHEREAS**, in accordance with House Bill No. 1454 (“HB 1454”), passed by the
20 Maryland General Assembly during the 2020 session, the governing body of Howard County last
21 adopted the rate of the Transfer Tax by the passage of Council Resolution No. 84-2020 to be a
22 rate of 1.25 percent of the actual consideration paid or to be paid for the conveyance of title and
23 shall be collected by the Director of Finance before the Clerk of the Circuit Court may accept an
24 instrument of writing for recordation and there are no changes proposed for Fiscal Year 2022.

25
26 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
27 Maryland this 26 day of May, 2021 that, pursuant to the authority granted in
28 Section 20.301 and 20.304 of Article 14 of the Public Local Laws of Maryland and subject to the
29 exemptions set forth in Section 20.301 of Article 14 of the Public Local Laws of Maryland, the
30 Transfer Tax rate in Howard County is 1.25 percent of the actual consideration paid or to be paid

1 for the conveyance of title and shall be collected by the Director of Finance before the Clerk of
2 the Circuit Court may accept an instrument of writing for recordation.

3
4 **AND BE IT FURTHER RESOLVED**, the tax imposed by this Resolution does not
5 apply to:

- 6 (1) Conveyances to the state or to any agency or instrumentality thereof, or any political
7 subdivision of the state, or any nonprofit hospital or religious or charitable organization,
8 association or corporation; and
9 (2) Conveyances of moderate income housing units.

10
11 **AND BE IT FURTHER RESOLVED** that this resolution shall be effective July 1, 2021
12 and shall continue in effect until changed or repealed by subsequent resolution of the County
13 Council.

14
15 **AND BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to the
16 Comptroller of the Treasury of the State of Maryland.