

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 5

Resolution No. 88 - 2023

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 1, 2023.

By order Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on May 15, 2023.

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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on May 24, 2023.

Certified By Michelle Harrod
Michelle Harrod, Administrator

Approved by the County Executive June 1, 2023

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**, the governing body of Howard County last adopted the rate of the Transfer
20 Tax by the passage of Council Resolution No. 79-2022 to be a rate of 1.25 percent of the actual
21 consideration paid or to be paid for the conveyance of title and shall be collected by the Director
22 of Finance before the Clerk of the Circuit Court may accept an instrument of writing for
23 recordation and there are no changes proposed for Fiscal Year 2024.

24
25 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
26 Maryland this 24 day of May, 2023 that, pursuant to the authority granted in
27 Section 20.301 and 20.304 of Article 14 of the Public Local Laws of Maryland and subject to the
28 exemptions set forth in Section 20.301 of Article 14 of the Public Local Laws of Maryland, the
29 Transfer Tax rate in Howard County is 1.25 percent of the actual consideration paid or to be paid
30 for the conveyance of title and shall be collected by the Director of Finance before the Clerk of
31 the Circuit Court may accept an instrument of writing for recordation.

1 **AND BE IT FURTHER RESOLVED**, the tax imposed by this Resolution does not
2 apply to:

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

7
8 **AND BE IT FURTHER RESOLVED** that this resolution shall be effective July 1, 2023
9 and shall continue in effect until changed or repealed by subsequent resolution of the County
10 Council.

11
12 **AND BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to the
13 Comptroller of the Treasury of the State of Maryland.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 1, 2023.

Michelle R. Harrod
Michelle R. Harrod, 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 _____, 2023.

Michelle R. Harrod, 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 _____, 2023.

Michelle R. Harrod, 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 _____, 2023.

Diane Schwartz Jones, 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 _____, 2023.

Michelle R. Harrod, 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 _____, 2023.

Michelle R. Harrod, Administrator to the County Council