

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2020-07**

BILL NO. 2020-02

Title of Bill: Taxation – Tax Credit – Senior Citizens and Veterans

Synopsis: A Bill to provide for a Cecil County Senior Citizens and Veterans Tax Credit Program; to establish a property tax credit for certain senior citizens and veterans; to establish the criteria for the property tax credit created; and generally relating to property tax discounts and credits.

Introduced by: Council President at the request of the County Executive

Introduced and order posted on: April 7, 2020

Public hearing scheduled on: May 12, 2020 at 7:00 p.m.

Consideration scheduled on: May, 19, 2020

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by (Date) at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on Date, a public hearing was held on Date and concluded on Date.

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

Taxation – Tax Credit – Senior Citizens and Veterans

1 **WHEREAS**, Part II, Chapter 337, Taxation, provides certain tax credits for certain individuals,
 2 companies, and real estate uses, in Cecil County, Maryland; and

3 **WHEREAS**, Md. Code Ann., § 9-258, Tax Property Article, authorizes the governing body of a
 4 county to grant, by law, a property tax credit against the county property tax imposed on the dwelling of
 5 an eligible individual; and

6 **WHEREAS**, Md. Code Ann., § 9-258, Tax Property Article, defines an “eligible individual” as an
 7 individual who is at least 65-years of age, an individual who is at least 65-years of age and is a retired
 8 member of the uniformed armed services of the United States as defined in 10 U.S.C. Section 101, the
 9 military reserves, or the National Guard, or a surviving spouse, who is at least 65-years of age and has not
 10 remarried, of a retired member of the uniformed armed services of the United States as defined in 10
 11 U.S.C. Section 101, the military reserves, or the National Guard; and

12 **WHEREAS**, the property tax credit allowed under Md. Code Ann., § 9-258, Tax Property Article may
 13 not exceed 20% of the county property tax imposed on the property, and may be granted for a period not
 14 to exceed five years for each eligible individual’s property; and

15 **WHEREAS**, pursuant to Md. Code Ann., § 9-258, Tax Property Article, the County Council may
 16 provide, by law, for the maximum assessed value of a dwelling that is eligible for the tax credit under this
 17 section, the minimum number of years, not to exceed 40-years, that an eligible individual must have
 18 resided in the same dwelling, for additional eligibility criteria for the tax credit under this provision, for
 19 regulations and procedures for the application and uniform processing of requests for the tax credit, and
 20 any other provision necessary to carry out the tax credit under this provision; and

21 **WHEREAS**, the County Executive has forwarded this Bill to the County Council for consideration of
 22 an amendment to Part II, Chapter 337, Taxation, to add a new Article IX, Section 337-46, Tax Credit for
 23 Senior Citizens and Veterans, of the Cecil County Code, to provide for Cecil County Senior Citizens and
 24 Veterans Tax Credit Program; to establish a property tax credit for certain senior citizen individuals and
 25 veterans; to establish the criteria for the property tax credit created; and generally relating to property
 26 tax discounts and credits concurs with the definition proposed above, and has submitted the amendment
 27 set forth herein to the County Council for consideration and approval, consistent with the text set forth
 28 below.

29 **NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND, IN**
 30 **LEGISLATIVE SESSION**, that Part II, Chapter 337, Taxation, is hereby amended to add a new Article IX,

Taxation – Tax Credit – Senior Citizens and Veterans

31 Section 337-46, Tax Credit for Senior Citizens and Veterans, of the Cecil County Code, to provide for Cecil
32 County Senior Citizens and Veterans Tax Credit Program, to establish a property tax credit for certain
33 senior citizens and veterans; to establish the criteria for the property tax credit created, and generally
34 relating to property tax credits for eligible individuals as defined herein, as follows:

35 Part II, Chapter 337, § 337-46. TAX CREDIT FOR SENIOR CITIZENS AND VETERANS.

36 A. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS
37 INDICATED:

38 DWELLING - HAS THE SAME MEANING AS IN § 9-105 OF THE TAX- PROPERTY ARTICLE OF
39 THE ANNOTATED CODE OF MARYLAND.

40 ELIGIBLE INDIVIDUAL -

41 (1) AN INDIVIDUAL WHO IS AT LEAST 65 YEARS OLD AND HAS LIVED IN THE
42 SAME DWELLING FOR AT LEAST THE PRECEDING 40 YEARS; OR

43 (2) AN INDIVIDUAL WHO IS AT LEAST 65 YEARS OLD AND IS A RETIRED MEMBER
44 OF THE UNIFORMED SERVICES OF THE UNITED STATES AS DEFINED IN 10 U.S.C. § 101, THE MILITARY
45 RESERVES OR NATIONAL GUARD; OR

46 (3) A SURVIVING SPOUSE, WHO IS AT LEAST 65-YEARS OF AGE AND HAS NOT
47 REMARRIED, OF A RETIRED MEMBER OF THE UNIFORMED ARMED SERVICES OF THE UNITED STATES AS
48 DEFINED IN 10 U.S.C. SECTION 101, THE MILITARY RESERVES, OR THE NATIONAL GUARD, WHO RESIDES IN
49 THE SAME DWELLING AS THE ELIGIBLE INDIVIDUAL DECEDENT SPOUSE.

50 B. IN ACCORDANCE WITH THE PROVISIONS OF TAX-PROPERTY ARTICLE, §9-258, OF THE
51 ANNOTATED CODE OF MARYLAND, AN ELIGIBLE INDIVIDUAL (AS DEFINED IN SECTIONS A(1), A(2), AND A(3)
52 ABOVE) MAY RECEIVE A CREDIT AGAINST THE COUNTY PROPERTY TAX IMPOSED ON THEIR DWELLING
53 SUBJECT TO THE FOLLOWING:

54 (1) THE CREDIT ALLOWED UNDER THIS SECTION IS 20% OF THE COUNTY
55 PROPERTY TAX IMPOSED ON THE DWELLING;

56 (2) THE CREDIT MAY BE GRANTED FOR A MAXIMUM OF 5 YEARS;

57 (3) THE DWELLING FOR WHICH A PROPERTY TAX CREDIT IS SOUGHT HAS A
58 MAXIMUM ASSESSED VALUE OF \$400,000 AT THE TIME THE ELIGIBLE INDIVIDUAL FIRST APPLIED
59 FOR THE CREDIT UNDER THIS SECTION; AND

60 (4) AN ELIGIBLE INDIVIDUAL MUST HAVE A HOUSEHOLD TAXABLE NET
61 INCOME (ADJUSTED GROSS INCOME – PRIOR YEAR’S FEDERAL TAX RETURN) OF NOT MORE THAN
62 \$84,000 (EQUAL TO OR LESS THAN 140% OF THE STATE OF MARYLAND HOMEOWNERS TAX CREDIT).

63 C. TO RECEIVE A CREDIT UNDER THIS SECTION, AN ELIGIBLE INDIVIDUAL SHALL FILE AN
64 APPLICATION WITH THE DEPARTMENT OF FINANCE AND SHALL PROVIDE ANY OTHER
65 DOCUMENTATION AS REQUIRED BY THE DEPARTMENT OF FINANCE.

66 **AND IT IS FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**
67 that this Bill shall take effect 60 calendar days from the date that it becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY Council Manager