CECIL COUNTY, MARYLAND
DEPARTMENT OF FINANCE

FISCAL NOTE

SUMMARY OF LEGISLATION

SPONSOR: Council President Hodge at the request of the County Executive

BILL NO. 2016-07 – TRANSFER OF INTEREST OF INTEREST IN LAND

Synopsis: A Bill to reinstate a fee for recording no-consideration transfers of an interest in land with the Clerk of Court for Cecil County.

FISCAL IMPACT SUMMARY: The approval of this bill will have a positive fiscal impact on the Cecil County Government of $21,000 in the proposed 2017 Annual Budget and Appropriation Ordinance.

FISCAL ANALYSIS:

Chapter 202 (Fees), Article I (Deed Transfer Fee), § 202-1 (Transfer of Interest In Land Fee), of the Cecil County Code provides that there shall be paid to Cecil County, Maryland, before recording any deed or other instrument involving the transfer of an interest in land, a transfer fee in the amount of $10.00, and included but was not limited to transfers for no consideration. Bill No. 2015-06 amended this article to establish the transfer fee as 0.5% of the consideration identified in the deed or other instrument recorded with the Clerk of Court for Cecil County, but the amended Article did not include a fee for the recordation of a non-consideration transfer of an interest in land.

The County finds it necessary to reinstate a fee in the amount of $25.00 for the recordation of the non-consideration transfer of an interest in land. The reason is that even if the transfer has zero consideration, there is administrative time involved in reviewing and processing the paperwork involved in the transaction regardless of the amount of consideration. The Department of Finance logs all paperwork submitted for transfers of interest in land. An average month of activity was reviewed and the number of zero consideration transfers was determined to be 70. The activity was then multiplied by the proposed $25.00 to reach the increased revenue to the County for FY2017.