

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2008 Legislative Session

Bill No. CB-66-2008

Chapter No. 66

Proposed and Presented by Council Member Dernoga

Introduced by Council Members Dernoga, Bland and Olson

Co-Sponsors _____

Date of Introduction October 21, 2008

BILL

AN ACT concerning

Property Tax Credit – Agricultural Land

For the purpose of granting a tax credit against property taxes imposed on agricultural land subject to State or County agricultural land preservation programs.

BY adding:

SUBTITLE 10. FINANCE AND TAXATION.

Section 10-231.04,

The Prince George's County Code

(2003 Edition, 2006 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 10-231.04 of the Prince George's County Code be and the same is hereby added:

SUBTITLE 10. FINANCE AND TAXATION.

DIVISION 8. TAX ASSESSMENT, LEVY, AND COLLECTION.

Subdivision 4B. Agricultural Land Tax Credit.

Sec. 10-231.04. Property tax credits for agricultural land.

(a) In accordance with the provisions of Section 9-318(b)(1)(viii) of the Tax-Property Article, Annotated Code of Maryland and the terms defined therein, there is a tax credit against the property tax imposed on agricultural land, including any farm improvement used in connection with an activity that is recognized by the State Department of Assessments and Taxation as an approved agricultural activity, that is subject to State or County agricultural land

preservation programs.

(b) The amount of the tax credit shall be equal to the full amount of the County property tax imposed on the property, provided that each year the property owner shall submit an application and proof of claim as required by the Director of Finance.

(c) The tax credit granted shall be applicable effective with the taxable year beginning July 1, 2009, provided that the application is filed with the Director of Finance on or before October 1st of each taxable year.

(d) During the fiscal year, the total of all tax credits granted under this section shall not exceed \$250,000. Tax credits shall be granted in the order in which the Office of Finance receives the complete application under subsection (c) of this section. If a complete application granted would cause the limit set in this subsection to be exceeded, the tax credit shall be granted in the next fiscal year or years and in the order received.

(e) In accordance with the provisions of Section 9-318(e) of the Tax-Property Article, Annotated Code of Maryland, a property owner who has been granted a property tax credit for agricultural land under this Section and subsequently withdraws the property from a State or County agricultural land preservation program shall be liable for:

(1) All property taxes for which the property owner would have been liable if a property tax credit for agricultural land had not been granted under this Section for a period not exceeding ten (10) years from the date that the property was subject to a State or County agricultural land preservation program;

(2) Interest on the total tax liability as required under Section 14-605 of the Tax-Property Article, Annotated Code of Maryland; and

(3) A tax penalty as required under Section 14-703 of the Tax-Property Article, Annotated Code of Maryland.

(f) The Director of Finance is authorized to develop an application form and establish procedures to administer the tax credit and liability provisions established in this Section.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 18th day of November, 2008.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.