A BILL ENTITLED

AN ACT concerning

Howard County – Transfer Tax – School Site Acquisition and Construction Fund

Ho. Co. 15–18

FOR the purpose of authorizing the Howard County Council to increase the percentage of transfer tax revenue that is allocated to the School Site Acquisition and Construction Fund up to a certain amount; authorizing the county council to determine how the remaining transfer tax revenue is allocated to certain special funds and purposes; prohibiting the county council from reducing funding for the Howard County Agricultural Land Preservation Fund in a certain manner; and generally relating to the allocation of transfer tax revenue in Howard County.

BY repealing and reenacting, without amendments,

The Public Local Laws of Howard County
Section 20.300(a)

Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Howard County
Section 20.304

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SECTIONS 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 14 – Howard County

20.300.

(a) Except as provided in subsection (b) of this section, a tax is hereby imposed upon 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, for all or only that portion of such property described in such instrument which is actually located in Howard County, provided that conveyances to the state or to any agency or instrumentality thereof, or any political subdivision of the state, or any nonprofit hospital or religious or charitable organization, association or corporation, shall not be subject to the tax imposed by this section. The term “instrument of writing,” as used in this section shall be deemed to include any deed, lease, assignment of leasehold property or any other device the purpose of which is to convey title to real property, but shall not include any mortgage, deed of trust, conditional sales contract or any other device the purpose of which is to afford a security in real property rather than to convey title thereto.

20.304.

(A) The clerk of the circuit court shall pay over to the director of finance from time to time, under such procedures as the director of finance may specify, the proceeds of this tax.

(B) [The] Subject to subsection (c) of this section, the director of finance shall hold such proceeds in the following manner: 25% in a special fund known as “The School Site Acquisition and Construction Fund,” and disbursements from this fund shall be made only for the purposes set forth in section 9.102 of the Howard County Code; 25% in a special fund known as “The Park Land Watershed Facilities Fund,” and disbursements from this fund shall be made only for the purposes set forth in section 19.100 of the Howard County Code; and the remainder in the general fund of the county, with the stipulation that the county council shall budget this remainder as follows: 50% plus the interest thereon for the Howard County Agricultural Land Preservation Fund; 25% for
community improvement and housing programs primarily serving low income individuals and families and the homeless and for urban renewal; and 25% for the acquisition or leasing of land for new fire house sites and training facilities and the construction and maintenance of fire house and training facilities, the acquisition and maintenance of fire equipment, and supplementation of financial needs of fire companies.

(c) (1) The county council may, by law, increase the percentage of transfer tax revenue allocated to the School Site Acquisition and Construction Fund up to a maximum of 50%.

(2) Subject to paragraph (3) of this subsection, if the county council exercises the authority under paragraph (1) of this subsection, the county council shall, by law, determine how the remaining transfer tax revenue is allocated to the other special funds and purposes enumerated in subsection (b) of this section.

(3) The county council may not reduce funding for the Howard County Agricultural Land Preservation Fund in a manner that would cause the county to default on its contractual obligations to landowners under the Agricultural Land Preservation Program.

SECTION 2. And be it further enacted, That this Act shall take effect July 1, 2018.