

SENATE BILL 132

Q1

7lr1764

By: **Senator Salling**

Introduced and read first time: January 16, 2017

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Exemption for Disabled Veterans – Percentage of Disability**

3 FOR the purpose of expanding eligibility for a property tax exemption for the dwelling
4 house of a disabled veteran to include veterans with at least a certain percentage of
5 service connected disability; providing for the application of this Act; and generally
6 relating to a property tax exemption for the dwelling house of a disabled veteran.

7 BY repealing and reenacting, with amendments,

8 Article – Tax – Property

9 Section 7–208(a)

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Tax – Property

14 Section 7–208(b)

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2016 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Tax – Property**

20 7–208.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) (i) “Disabled veteran” means an individual who:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. is honorably discharged or released under honorable
2 circumstances from active military, naval, or air service as defined in 38 U.S.C. § 101; and

3 2. has been declared by the Veterans' Administration to have
4 a permanent [100%] service connected disability **OF AT LEAST 80%** that results from
5 blindness or other disabling cause that:

6 A. is reasonably certain to continue for the life of the veteran;
7 and

8 B. was not caused or incurred by misconduct of the veteran.

9 (ii) "Disabled veteran" includes an individual who qualifies
10 posthumously for a [100%] service connected disability **OF AT LEAST 80%**.

11 (3) "Dwelling house":

12 (i) means real property that is:

13 1. the legal residence of a disabled veteran or a surviving
14 spouse; and

15 2. occupied by not more than 2 families; and

16 (ii) includes the lot or curtilage and structures necessary to use the
17 real property as a residence.

18 (4) "Individual who died in the line of duty" means an individual who died
19 while in the active military, naval, or air service of the United States as a result of an injury
20 or disease that is deemed under 38 U.S.C. § 105 to have been incurred in the line of duty.

21 (5) "Surviving spouse" means an individual who has not remarried and
22 who:

23 (i) is the surviving spouse of a disabled veteran;

24 (ii) is the surviving spouse of an individual who died in the line of
25 duty; or

26 (iii) receives Dependency and Indemnity Compensation from the
27 United States Department of Veterans Affairs.

28 (b) Except as provided in subsection (e) of this section, a dwelling house is exempt
29 from property tax if:

30 (1) the dwelling house is owned by:

- 1 (i) a disabled veteran;
- 2 (ii) a surviving spouse of an individual who died in the line of duty,
3 if:
- 4 1. the dwelling house was owned by the individual at the
5 time of the individual's death;
- 6 2. the dwelling house was acquired by the surviving spouse
7 within 2 years of the individual's death, if the individual or the surviving spouse was
8 domiciled in the State as of the date of the individual's death; or
- 9 3. the dwelling house was acquired after the surviving
10 spouse qualified for exemption for a former dwelling house under item 1 or 2 of this item,
11 to the extent of the previous exemption; or
- 12 (iii) a surviving spouse of a disabled veteran who meets the
13 requirements of subsection (c) of this section; and
- 14 (2) the application requirements of subsection (d) of this section are met.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2017, and shall be applicable to all taxable years beginning after June 30, 2017.