

# SENATE BILL 484

Q7

9lr1232

---

By: **Senators Ferguson and Miller**

Introduced and read first time: February 4, 2019

Assigned to: Budget and Taxation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Tax Liens – Expiration**

3 FOR the purpose of providing that certain liens for certain unpaid taxes continue for a  
4 certain number of years; increasing the number of years that a lien for unpaid  
5 inheritance tax continues; reducing the number of years that a lien for unpaid  
6 inheritance tax that is attributable to certain property continues; providing that  
7 certain liens for unpaid real and personal property taxes terminate after a certain  
8 number of years; providing that a lien on property attributable to a certain deferment  
9 of property tax terminates after a certain number of years; and generally relating to  
10 tax liens.

11 BY repealing and reenacting, with amendments,  
12 Article – Tax – General  
13 Section 13–806  
14 Annotated Code of Maryland  
15 (2016 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Tax – Property  
18 Section 14–804  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2018 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
22 That the Laws of Maryland read as follows:

23 **Article – Tax – General**

24 13–806.

25 (a) Unless another date is specified by law and except for a lien under subsection

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) of this section, a lien arises on the date of notice that the tax is due and continues **UNTIL**  
 2 **THE EARLIER OF:**

3 **(1)** the date on which the lien is:

4 **[(1)] (I)** satisfied; or

5 **[(2)] (II)** released by the tax collector because the lien is:

6 **[(i)] 1.** unenforceable by reason of lapse of time; or

7 **[(ii)] 2.** uncollectible; **OR**

8 **(2) 12 YEARS AFTER THE DATE OF NOTICE.**

9 (b) (1) Except as otherwise provided in this subsection, a lien for unpaid  
 10 inheritance tax:

11 (i) arises on the date of distribution; and

12 (ii) continues for **[4] 12** years.

13 (2) If the property is subject to a special valuation under § 7–211 of this  
 14 article, a lien:

15 (i) arises on the date on which the interest in the property vests in  
 16 possession; and

17 (ii) continues for **[4] 12** years.

18 (3) If the unpaid inheritance tax is attributable to the disqualification of  
 19 property that was qualified for special valuation or exemption under § 7–211 of this article,  
 20 the lien:

21 (i) arises on the date on which the decedent died; and

22 (ii) continues for **[20] 12** years.

23 **Article – Tax – Property**

24 14–804.

25 (a) **(1) [All] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
 26 **SUBSECTION, ALL** unpaid taxes on real property shall be, until paid, liens on the real  
 27 property in respect to which they are imposed from the date they became or become  
 28 payable.

1           **(2) A LIEN ON REAL PROPERTY UNDER PARAGRAPH (1) OF THIS**  
2 **SUBSECTION TERMINATES 12 YEARS AFTER THE DATE THAT THE LIEN ATTACHES TO**  
3 **THE REAL PROPERTY.**

4           **(b) (1)** All unpaid tax on personal property is a lien on the personal property  
5 and on the real property of the owner of the personal property in the same manner in which  
6 taxes on real property are now liens on the real property with respect to which they are  
7 imposed in all subdivisions of the State; provided that the lien will attach to the real  
8 property only after the notice has been recorded and indexed among the judgment records  
9 in the office of the clerk of the circuit court in the county where the land lies, or is recorded  
10 and indexed on the tax rolls of the subdivision. Any subdivision, in lieu of recording in the  
11 appropriate court, may use a lien reporting system, and any subdivision so doing shall  
12 provide, on request, a lien report or memorandum with respect to any particular person.

13           **(2) A LIEN ON PERSONAL PROPERTY OR REAL PROPERTY UNDER**  
14 **PARAGRAPH (1) OF THIS SUBSECTION TERMINATES 12 YEARS AFTER THE DATE THAT**  
15 **THE LIEN ATTACHES TO THE PROPERTY.**

16           **(c) (1)** The county property tax deferred under § 10–201 of this article is a lien  
17 on the property for which the deferral was granted.

18           **(2) A LIEN ON PROPERTY UNDER PARAGRAPH (1) OF THIS**  
19 **SUBSECTION TERMINATES 12 YEARS AFTER THE DATE THAT THE LIEN ATTACHES TO**  
20 **THE PROPERTY.**

21           **(d) (1)** The unpaid balance of a deferral granted under § 10–202 of this article  
22 is a lien on the property for which the deferral was granted.

23           **(2) A LIEN ON PROPERTY UNDER PARAGRAPH (1) OF THIS**  
24 **SUBSECTION TERMINATES 12 YEARS AFTER THE DATE THAT THE LIEN ATTACHES TO**  
25 **THE PROPERTY.**

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2019.