

# SENATE BILL 434

Q1, Q2  
HB 591/21 – W&M

2lr3010  
CF 2lr2869

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By: **Senator Reilly**

Introduced and read first time: January 26, 2022

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Property Tax Credit – Disabled or Fallen Law**  
3 **Enforcement Officers and Rescue Workers, Surviving Spouses, and Cohabitants**

4 FOR the purpose of expanding eligibility for a certain property tax credit for certain  
5 residential real property in Anne Arundel County owned by a certain disabled law  
6 enforcement officer or rescue worker, surviving spouse, or cohabitant; and generally  
7 relating to a property tax credit for residential real property owned by a disabled law  
8 enforcement officer or rescue worker, surviving spouse, or cohabitant.

9 BY repealing and reenacting, with amendments,  
10 Article – Tax – Property  
11 Section 9–210  
12 Annotated Code of Maryland  
13 (2019 Replacement Volume and 2021 Supplement)

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

16 **Article – Tax – Property**

17 9–210.

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

19 (2) “Cohabitant” means an individual who for a period of at least 180 days  
20 in the year before the death of a fallen law enforcement officer or rescue worker:

21 (i) had a relationship of mutual interdependence with the fallen law  
22 enforcement officer or rescue worker; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) resided with the fallen law enforcement officer or rescue worker  
2 in the dwelling.

3 (3) “Disabled law enforcement officer or rescue worker” means an  
4 individual who:

5 (i) has been found to be permanently and totally disabled by an  
6 administrative body or court of competent jurisdiction authorized to make such a  
7 determination; and

8 (ii) became disabled:

9 1. as a result of or in the course of employment as a law  
10 enforcement officer or a correctional officer; or

11 2. while in the active service of a fire, rescue, or emergency  
12 medical service, unless the disability was the result of the individual’s own willful  
13 misconduct or abuse of alcohol or drugs.

14 (4) (i) “Dwelling” means real property that:

15 1. is the legal residence of a disabled law enforcement officer  
16 or rescue worker, a surviving spouse, or a cohabitant; and

17 2. is occupied by not more than two families.

18 (ii) “Dwelling” includes the lot or curtilage and structures necessary  
19 to use the real property as a residence.

20 (5) “Fallen law enforcement officer or rescue worker” means an individual  
21 who dies:

22 (i) as a result of or in the course of employment as a law enforcement  
23 officer or a correctional officer; or

24 (ii) while in the active service of a fire, rescue, or emergency medical  
25 service, unless the death was the result of the individual’s own willful misconduct or abuse  
26 of alcohol or drugs.

27 (6) “Surviving spouse” means a surviving spouse, who has not remarried,  
28 of a fallen law enforcement officer or rescue worker.

29 (b) The Mayor and City Council of Baltimore City or the governing body of a  
30 county or municipal corporation may grant, by law, a property tax credit under this section  
31 against the county or municipal corporation property tax imposed on a dwelling that is  
32 owned by a disabled law enforcement officer or rescue worker, a surviving spouse of a fallen  
33 law enforcement officer or rescue worker, or a cohabitant:

1 (1) if the dwelling was owned by the disabled law enforcement officer or  
2 rescue worker at the time the law enforcement officer or rescue worker was adjudged to be  
3 permanently and totally disabled or by the fallen law enforcement officer or rescue worker  
4 at the time of the fallen law enforcement officer's or rescue worker's death;

5 (2) if the disabled law enforcement officer or rescue worker was domiciled  
6 in the State as of the date the disabled law enforcement officer or rescue worker was  
7 adjudged to be permanently and totally disabled or the fallen law enforcement officer or  
8 rescue worker, the surviving spouse, or the cohabitant was domiciled in the State as of the  
9 date of the fallen law enforcement officer's or rescue worker's death and the dwelling was  
10 acquired by the disabled law enforcement officer or rescue worker within 10 years of the  
11 date the disabled law enforcement officer or rescue worker was adjudged to be permanently  
12 and totally disabled or by the surviving spouse or cohabitant within 10 years of the fallen  
13 law enforcement officer's or rescue worker's death;

14 (3) if the dwelling was owned by the surviving spouse or cohabitant at the  
15 time of the fallen law enforcement officer's or rescue worker's death; or

16 (4) (I) if the dwelling was acquired after the disabled law enforcement  
17 officer or rescue worker, the surviving spouse, or the cohabitant qualified for a credit for a  
18 former dwelling under item (1), (2), or (3) of this subsection, to the extent of the previous  
19 credit; OR

20 (II) IN ANNE ARUNDEL COUNTY, IF THE DWELLING WAS  
21 ACQUIRED AFTER THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE  
22 WORKER, THE SURVIVING SPOUSE, OR THE COHABITANT QUALIFIED FOR A CREDIT  
23 FOR A FORMER DWELLING ANYWHERE IN THE STATE UNDER ITEM (1), (2), OR (3) OF  
24 THIS SUBSECTION, TO THE EXTENT OF THE PREVIOUS CREDIT.

25 (c) A county or municipal corporation may provide, by law, for:

26 (1) the amount and duration of a property tax credit allowed under this  
27 section;

28 (2) any additional limitation to the number of years the dwelling was  
29 acquired within the date of an adjudication of disability or death; and

30 (3) any other provision necessary to carry out the provisions of this section.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
32 1, 2022, and shall be applicable to all taxable years beginning after June 30, 2022.