

HOUSE BILL 766

Q6

3lr1935

By: **Delegates Chisholm, Adams, Anderton, Arentz, Baker, Buckel, Fisher, Hartman, Hinebaugh, Hornberger, Howard, Hutchinson, Jacobs, Kipke, R. Long, Mangione, McComas, Metzgar, Miller, M. Morgan, T. Morgan, Munoz, Nawrocki, Otto, Pippy, Reilly, Rose, Schmidt, Simmons, Stonko, Szeliga, Tomlinson, Valentine, and Wivell**

Introduced and read first time: February 8, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Transfer Tax – Exemption for Real Property Used as Principal Residence**

3 FOR the purpose of exempting from the State transfer tax instruments of writing that
4 transfer real property to individuals who will use the real property as a principal
5 residence for consideration that is less than a certain amount; and generally relating
6 to exemptions from the State transfer tax.

7 BY adding to

8 Article – Tax – Property

9 Section 13–207(d)

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2022 Supplement)

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

14 **Article – Tax – Property**

15 13–207.

16 **(D) (1) NOTWITHSTANDING § 13–402.1 OF THIS TITLE OR ANY LOCAL**
17 **LAW, THE EXEMPTION UNDER THIS SUBSECTION:**

18 **(I) APPLIES ONLY TO THE STATE TRANSFER TAX; AND**

19 **(II) DOES NOT APPLY TO ANY COUNTY TRANSFER TAX.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) AN INSTRUMENT OF WRITING IS NOT SUBJECT TO THE STATE**
2 **TRANSFER TAX IF:**

3 **(I) THE CONSIDERATION PAYABLE FOR THE INSTRUMENT OF**
4 **WRITING IS \$350,000 OR LESS; AND**

5 **(II) THE INSTRUMENT OF WRITING TRANSFERS RESIDENTIAL**
6 **REAL PROPERTY TO AN INDIVIDUAL WHO WILL USE THE REAL PROPERTY AS THE**
7 **INDIVIDUAL'S PRINCIPAL RESIDENCE.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2023, and shall be applicable to instruments of writing recorded on or after July 1, 2023.