

HOUSE BILL 1161

L2, Q8

0lr2674

By: **Washington County Delegation**

Introduced and read first time: February 7, 2020

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2020

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Mobile Home Tax – Authorization**

3 FOR the purpose of providing that Washington County may not impose a certain tax on the
4 amounts paid for certain purposes to a mobile home park; authorizing Washington
5 County to impose, by ordinance, a tax on the use of a mobile home in the county;
6 providing for the application, manner of calculation, payment, and collection of the
7 tax; providing that the tax constitutes a lien on the mobile home and may be collected
8 in a certain manner; requiring the Director of the State Department of Assessments
9 and Taxation to direct the Department to assess the value of certain mobile homes
10 in Washington County under certain circumstances; authorizing Washington County
11 to provide, by ordinance, for certain matters related to the tax; defining a certain
12 term; and generally relating to a mobile home tax in Washington County.

13 BY repealing and reenacting, without amendments,
14 Article – Local Government
15 Section 20–501(a)
16 Annotated Code of Maryland
17 (2013 Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Local Government
20 Section 20–501(b)
21 Annotated Code of Maryland
22 (2013 Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



BY adding to

Article – Local Government
Section 20–503
Annotated Code of Maryland
(2013 Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 1–101(a) and (j)
Annotated Code of Maryland
(2019 Replacement Volume)

BY adding to

Article – Tax – Property
Section 2–202.1
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Local Government

20–501.

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

(2) “Camping shelter” means a tent or other collapsible structure that provides temporary living quarters for recreational, camping, or travel use.

(3) “Mobile home park” means a mobile home court or park or a trailer park.

(4) “Recreational vehicle” means a trailer or other vehicle that provides temporary living quarters for recreational, camping, or travel use.

(b) **(1) THIS SUBSECTION DOES NOT APPLY TO A MOBILE HOME IN WASHINGTON COUNTY.**

[(1)] (2) By resolution or ordinance, a county or municipality may impose a tax on the amount paid for:

(i) the rental, leasing, or use of any space, facility, or accommodation in a mobile home park; or

(ii) services provided by a mobile home park.

1 ~~[(2)]~~ (3) The tax authorized under this subsection does not apply to a
2 recreational vehicle or camping shelter if:

3 (i) the recreational vehicle or camping shelter is intended and used
4 only for temporary occupancy of 30 days or less; or

5 (ii) the county or municipality imposes the tax authorized under
6 subsection (c) of this section.

7 **20-503.**

8 (A) IN THIS SECTION, "MOBILE HOME" MEANS A FORM OF HOUSING THAT:

9 (1) IS COMMONLY KNOWN AS A TRAILER, HOUSE TRAILER, OR
10 MANUFACTURED HOME;

11 (2) IS OR CAN BE USED FOR RESIDENTIAL PURPOSES; AND

12 (3) (I) IS PERMANENTLY ATTACHED TO LAND; OR

13 (II) IS CONNECTED TO WATER, GAS, ELECTRIC, OR SEWAGE
14 FACILITIES.

15 (B) BY ORDINANCE, WASHINGTON COUNTY MAY IMPOSE A TAX ON THE USE
16 OF A MOBILE HOME LOCATED IN THE COUNTY.

17 (C) THE TAX AUTHORIZED UNDER THIS SECTION DOES NOT APPLY TO A
18 MOBILE HOME THAT IS HELD FOR SALE ON A SALES LOT.

19 (D) THE TAX AUTHORIZED UNDER THIS SECTION SHALL BE APPLIED ON THE
20 ASSESSED VALUE OF THE MOBILE HOME.

21 (E) (1) AN OWNER OF PROPERTY ON WHICH A MOBILE HOME SUBJECT TO
22 THE TAX UNDER THIS SECTION IS LOCATED SHALL PAY THE TAX TO THE COUNTY
23 OFFICE THAT THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY DESIGNATE
24 BY ORDINANCE.

25 (2) (I) IF THE OCCUPANT OF A MOBILE HOME SUBJECT TO THE TAX
26 UNDER THIS SECTION RENTS FROM THE PROPERTY OWNER THE MOBILE HOME OR
27 THE PROPERTY ON WHICH THE MOBILE HOME IS LOCATED, THE PROPERTY OWNER
28 MAY COLLECT THE TAX FROM THE OCCUPANT OF THE MOBILE HOME.

29 (II) THE PROPERTY OWNER MAY COLLECT THE TAX FROM THE
30 OCCUPANT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AS A PART OF THE

1 **RENTAL FEES.**

2 **(III) IF THE PROPERTY OWNER CHOOSES TO COLLECT THE TAX**
3 **FROM THE OCCUPANT OF THE MOBILE HOME UNDER PARAGRAPH (1) OF THIS**
4 **SUBSECTION AND THE OCCUPANT FAILS TO PAY THE TAX, THE PROPERTY OWNER**
5 **MAY EXERCISE ANY RIGHT AVAILABLE TO THE PROPERTY OWNER FOR NONPAYMENT**
6 **OF RENTAL FEES.**

7 **(F) IF THE COUNTY IMPOSES THE TAX AUTHORIZED UNDER THIS SECTION,**
8 **THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION SHALL ASSESS THE**
9 **VALUE OF MOBILE HOMES IN WASHINGTON COUNTY SUBJECT TO THE TAX.**

10 **(G) A TAX IMPOSED UNDER THIS SECTION CONSTITUTES A LIEN ON THE**
11 **MOBILE HOME AND MAY BE COLLECTED IN THE SAME MANNER AS PROPERTY TAXES**
12 **MAY BE COLLECTED.**

13 **(H) IF THE COUNTY IMPOSES THE TAX AUTHORIZED UNDER THIS SECTION,**
14 **THE COUNTY, BY ORDINANCE, MAY PROVIDE FOR:**

15 **(1) COLLECTION OF THE TAX AS OF THE DATE OF FINALITY FOR THE**
16 **REAL PROPERTY TAXES OF THE PROPERTY OWNER;**

17 **(2) MAINTENANCE OF RECORDS RELATING TO THE TAX AND ITS**
18 **COLLECTION;**

19 **(3) OTHER REQUIREMENTS RELATING TO THE ADMINISTRATION OF**
20 **THE TAX; AND**

21 **(4) PENALTIES FOR FAILURE TO COMPLY WITH THE REQUIREMENTS**
22 **RELATING TO THE TAX.**

23 **Article – Tax – Property**

24 1–101.

25 (a) In this article the following words have the meanings indicated.

26 (j) (1) “Department” means the State Department of Assessments and
27 Taxation.

28 (2) “Department” includes, unless the context requires otherwise, a
29 supervisor.

30 **2–202.1.**

1 IN ACCORDANCE WITH § 20–503 OF THE LOCAL GOVERNMENT ARTICLE, THE
2 DIRECTOR SHALL DIRECT THAT THE DEPARTMENT ASSESS THE VALUE OF MOBILE
3 HOMES IN WASHINGTON COUNTY SUBJECT TO THE TAX IMPOSED UNDER THAT
4 SECTION.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.