



**Committee:** Joint  
**Committee Review:** At a future date  
**Staff:** Robert H. Drummer, Senior Legislative Attorney  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #PublicSafetyTaxCredit

AGENDA ITEM #10D  
October 19, 2021  
**Introduction**

## SUBJECT

Bill 39-21, Taxation – Public Safety Officers – Public Safety Emergency Communications Specialists – Property Tax Credit

Lead Sponsor: Council President Hucker and Council Vice-President Alborno

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Whether to provide a property tax credit for public safety officers and public safety emergency communications specialists employed by the County.

## DESCRIPTION/ISSUE

- Would this property tax credit increase the number of eligible County employees residing in the County?
- Would this property tax credit help recruit and retain eligible County employees?

## SUMMARY OF KEY DISCUSSION POINTS

- The expected benefits to the County from this property tax credit versus the cost in lost revenue.

### **This report contains:**

Staff Report  
Bill 39-21  
LRR

Page 1  
© 1  
© 4

F:\LAW\BILLS\2139 Taxation - Property Tax Credit - Public Safety Officer – Established\Intro Cover Sheet.Docx

**Alternative format requests for people with disabilities.** If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at [adacompliance@montgomerycountymd.gov](mailto:adacompliance@montgomerycountymd.gov)

**MEMORANDUM**

October 14, 2021

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: Bill 39-21, Taxation – Public Safety Officers – Public Safety Emergency Communications Specialists – Property Tax Credit

PURPOSE: Introduction – no Council votes required

Bill 39-21, Taxation – Public Safety Officers – Public Safety Emergency Communications Specialist – Property Tax Credit, sponsored by Lead Sponsors Council President Hucker and Council Vice-President Alborno, is scheduled to be introduced on October 19, 2021. A public hearing is tentatively scheduled for November 9, 2021 at 1:30 p.m.<sup>1</sup>

**Background**

The General Assembly authorized the County to enact a property tax credit for certain public safety officers in Md. Tax-Property Code Ann. § 9-260 and for certain public safety emergency communications specialists in Md. Tax-Property Code Ann. § 9-262. The annual property tax credit must not exceed \$2500 or the total amount of property tax owed. The employee must be a legal owner of the property and the property must be the principal residence of the employee. The County is authorized to establish additional eligibility requirements for the property tax credit.

Bill 39-21 would establish a County property tax credit for a full-time sworn police officer, firefighter, emergency medical technician, or a public safety emergency communications specialist employed by the County. The Bill would authorize the maximum \$2500 credit for an eligible employee. The purpose of the Bill is to increase the number of County employees occupying these positions who reside in the County and help recruit and retain these employees.

This packet contains:	<u>Circle #</u>
Expedited Bill 39-21	1
Legislative Request Report	4

---

<sup>1</sup>##PublicSafetyTaxCredit

Bill No. 39-21  
Concerning: Taxation – Public Safety  
Officers – Public Safety Emergency  
Communications Specialists -  
Property Tax Credit - Established  
Revised: 10-11-2021 Draft No. 3  
Introduced: \_\_\_\_\_  
Expires: \_\_\_\_\_  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsors: Council President Hucker Council Vice President Alborno

---

**AN ACT** to:

- (1) establish a tax credit against real property tax for certain County public safety officers and public safety emergency communication specialists;
- (2) provide for the amount of the property tax credit;
- (3) establish eligibility for the public safety officer and public safety emergency communication specialist property tax credit; and
- (4) generally amend the law governing property tax credits.

By adding

Montgomery County Code  
Chapter 52, Taxation  
Section 52-112

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 52-112 is added as follows:**

2    **52-112. Police Officer Property Tax Credit.**

3           (a)    Definitions. In this Section:

4                    Director means the Director of the Department of Finance or the  
5                    Director's designee.

6                    Dwelling means as defined in Md. Tax-Property Code Ann. § 9-105.

7                    Public safety emergency communication specialist means a full-time  
8                    County employee responsible for providing mission critical services  
9                    between the general public in crisis and law enforcement, fire, emergency  
10                   medical, and animal control providers in the 9-1-1 emergency  
11                   communications center.

12                   Public safety officer means a full-time sworn police officer, firefighter,  
13                   or emergency medical technician employed by the County.

14           (b)    Credit required. The Director must allow each eligible taxpayer a credit  
15                   against County real property taxes due in each tax year in which the  
16                   taxpayer is eligible for the credit.

17           (c)    Eligibility. A taxpayer is eligible for the tax credit each year for  
18                   residential property located in the County if the taxpayer:

19                   (1)   is a public safety officer or a public safety emergency  
20                    communication specialist employed by the County;

21                   (2)   is using the property as the employee's principal residence;

22                   (3)   occupies or is expected to occupy the property for more than 6  
23                    months of a 12-month period beginning with the date of finality  
24                    for the taxable year for which the property tax credit under this  
25                    section is sought; and

26                   (4)   is a legal owner of the property.

- 27        (d) Amount of credit. The credit must equal the lessor of \$2500 or the amount  
 28        of the County property tax otherwise due on the property.
- 29        (e) Application. In order to receive the credit, a public safety officer or a  
 30        public safety emergency communications specialist must apply for the  
 31        credit with the Director on or before April 1 of the tax year before the first  
 32        tax year the tax credit is sought on a form containing the information  
 33        required by the Director. An employee must apply to continue the credit  
 34        on or before April 1 of the tax year before each subsequent tax year. The  
 35        Director must determine taxpayer eligibility for the credit.
- 36        (f) Continuous eligibility required. If, at any time during the term of the  
 37        credit or the renewal of the credit, the property is no longer eligible for  
 38        the credit:
- 39            (1) the credit granted to the property must be terminated; and  
 40            (2) the owner of the property is liable for all property taxes that would  
 41            have been due if the credit had not been granted for any year that  
 42            the property was not eligible for the credit.
- 43        (h) Appeal. The Director must take all actions necessary to apply the credit  
 44        to each eligible taxpayer who applies for the credit and is certified as  
 45        eligible by the Director. A taxpayer may appeal a final decision by the  
 46        Director denying or terminating the credit to the Maryland Tax Court  
 47        within 30 days after receiving a notice of denial or termination from the  
 48        Director.

49        **Sec. 2. Evaluation.** The Director must submit a report to the Executive and the  
 50        Council on or before January 1, 2024 evaluating the effectiveness of the tax credit in  
 51        increasing the number of public safety officers and public safety emergency  
 52        communications specialists living in the County.

53

## LEGISLATIVE REQUEST REPORT

Bill 39-21

*Taxation – Public Safety Officers – Public Safety Emergency Communications Specialist – Property Tax Credit – Established*

<b>DESCRIPTION:</b>	Bill 39-21 would establish a County property tax credit for a full-time sworn police officer, firefighter, emergency medical technician, or a public safety emergency communications specialist employed by the County. The Bill would authorize the maximum \$2500 credit for an eligible employee.
<b>PROBLEM:</b>	Retention and recruitment for these positions has been difficult.
<b>GOALS AND OBJECTIVES:</b>	The purpose of the Bill is to increase the number of County employees occupying these positions who reside in the County and help recruit and retain these employees.
<b>COORDINATION:</b>	Department of Finance, Office of Labor Relations, Police, Fire
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be researched.
<b>EXPERIENCE ELSEWHERE:</b>	To be researched.
<b>SOURCE OF INFORMATION:</b>	Robert H. Drummer, Senior Legislative Attorney (240) 777-7895
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	To be researched.
<b>PENALTIES:</b>	None