Bill No. 30-01
Concerning: Recordation Tax - Rates and Exemption
Revised: 7-24-01 Draft No. 1
Introduced: July 31, 2001
Expires: January 31, 2003
Enacted: 
Executive: 
Effective: January 1, 2002
Sunset Date: None
Ch. , Laws of Mont. Co.

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Subin and Ewing

AN ACT to:

(1) increase the rate of the recordation tax;
(2) exempt a certain amount of the consideration for an owner-occupied residential property from the recordation tax;
(3) confirm certain actions previously taken regarding the recordation tax; and
(4) generally amend County law affecting the recordation tax.

By adding
Montgomery County Code
Chapter 52, Taxation
Section 52-16B

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Section 52-16B is added as follows:

52-16B. [Reserved] Recordation Tax

(a) Rate. The rate of the recordation tax, levied under state law, is $2.475 for each $500 or fraction of $500 of consideration payable or of the principal amount of the debt secured for an instrument of writing, including the amount of any mortgage or deed of trust assumed by a grantee.

(b) Exemption. The first $35,000 of the consideration payable on the conveyance of any owner-occupied residential property is exempt from the recordation tax if the buyer of that property intends to use the property as the buyer's principal residence by actually occupying the residence for at least 7 months of the 12-month period immediately after the property is conveyed.

Sec. 2. Effective Date.

This Act takes effect on January 1, 2002, and applies to any instrument recorded with the Clerk of the Circuit Court on or after that date.

Sec. 3. Effect of Previous Actions.

This Act supersedes Resolution No. 7-182, effective January 1, 2002. Any action taken under that resolution before that date, including the levy and collection of the recordation tax, is ratified and confirmed as if that action had been taken under authority of a law enacted by the County Council.

Approved:

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Blair G. Ewing, President, County Council  
Date
Approved:

Douglas M. Duncan, County Executive

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council