

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

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By: Councilmembers Subin and Ewing

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**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

<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 52-16B is added as follows:**

2   **52-16B.    [Reserved] Recordation Tax**

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

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

14           **Sec. 2.       Effective Date.**

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

17           **Sec. 3.       Effect of Previous Actions.**

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

22   *Approved:*

23 \_\_\_\_\_  
 Blair G. Ewing, President, County Council

\_\_\_\_\_ Date

24 *Approved:*

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Douglas M. Duncan, County Executive Date

26 *This is a correct copy of Council action.*

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Mary A. Edgar, CMC, Clerk of the Council Date