

Bill No. 6-24
Concerning: Property Tax Credit –
Disabled Veterans
Revised: 7/23/2024 Draft No. 6
Introduced: March 5, 2024
Enacted: July 30, 2024
Executive: August 8, 2024
Effective: November 7, 2024
Sunset Date: None
Ch. 11, Laws of Mont. Co. 2024

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Fani-González
Co-Sponsors: Council President Friedson and Councilmembers Balcombe, Luedtke, Albornoz,
Katz, and Sayles

AN ACT to:

- (1) establish a property tax credit for disabled veterans;
- (2) set the amounts of the property tax credit;
- (3) set eligibility criteria to qualify for the property tax credit;
- (4) require the continuation of the credit for the surviving spouse of the disabled veteran;
and
- (5) generally amend the law regarding property tax credits.

By adding

Montgomery County Code
Chapter 52, Taxation
Section 52-113

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

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

1 **Sec. 1. Section 52-113 is added as follows:**

2 **52-113. Property tax credit — disabled veterans.**

3 (a) Definitions. In this Section, the following words have the meanings
4 indicated:

5 Annual income means the federal adjusted gross income of a tax filer
6 for the immediately preceding taxable year.

7 Department means the Department of Finance.

8 Director means the Director of the Department or the Director's
9 designee.

10 Disabled veteran means an individual who:

11 (1) is honorably discharged or released under honorable
12 circumstances from active military, naval, or air service as defined
13 in 38 U.S.C. [[§]] Section 101, as amended; and

14 (2) either:

15 (A) has been declared by the U.S. Department of Veterans
16 Affairs, or its successor, to have a permanent service-
17 connected disability of at least 50[[%]] percent that results
18 from blindness or any other disabling cause that:

19 [[(A)]] (i) is reasonably certain to continue for the life of the
20 veteran; and

21 [[(B)]] (ii) was not caused or incurred by misconduct of the
22 veteran; or

23 (B) has been declared by the U.S. Department of Veterans
24 Affairs to have a nonpermanent service-connected disability
25 of 100 percent that results from blindness or any other
26 disabling cause that was not caused or incurred by
27 misconduct of the veteran.

28 Dwelling house real property that is:

- 29 (1) the legal residence of a disabled veteran; and
- 30 (2) occupied by not more than two families.

31 Dwelling house includes the lot or curtilage and structures necessary to
 32 use the real property as a residence.

33 Surviving spouse means an individual who:

- 34 (1) [[is a legal widow or widower of the the disabled veteran who
 35 applied for the credit]] was married to an eligible disabled veteran
 36 at the time of the disabled veteran's death;
- 37 (2) has not remarried; and
- 38 (3) has a legal interest in the dwelling house.

39 If the disabled veteran was unmarried at the time of death, or if the
 40 individual married to the veteran died simultaneously with or
 41 predeceased the veteran, then surviving spouse includes a person with a
 42 legal interest in the dwelling house who is:

- 43 (1) a minor child of the veteran, a trust for the benefit of the minor
 44 child, or a legal guardian of the minor child; or
- 45 (2) if the veteran does not have a minor child, any other legal
 46 dependent of the veteran.

47 (b) Credit. As authorized by [[§] Section 9-265 of the Tax-Property Article
 48 of the Maryland Code, as amended, a disabled veteran, or surviving
 49 spouse of the disabled veteran, may receive under this Section a credit
 50 against the County property tax imposed on a dwelling house [[under this
 51 Section]].

52 (c) Eligibility. A disabled veteran is eligible to receive a property tax credit
 53 under this Section if:

- 54 (1) the dwelling house is owned by the disabled veteran;

55 (2) the federal adjusted gross income of the disabled veteran for the
 56 immediately preceding taxable year does not exceed \$100,000;
 57 and

58 (3) the application requirements of subsection (d) are met.

59 (d) Application.

60 (1) A property owner must submit an application to the Director on
 61 or before April 1 before the tax year that the individual seeks to
 62 receive the credit.

63 (2) An application must:

64 (A) be on the form that the Director requires;

65 (B) include a copy of the disabled veteran's discharge
 66 certificate from active military, naval, or air service; and

67 (C) on the form provided by the Director, include a certification
 68 of the disabled veteran's disability from the U.S.
 69 Department of Veterans Affairs or its successor.

70 (3) The disabled veteran's certificate of disability must not be
 71 inspected by individuals other than:

72 (A) the disabled veteran; and

73 (B) appropriate employees of the County as needed to process
 74 the application.

75 (4) If a person requests to inspect the veteran's certificate of disability,
 76 or any other information related to the eligibility of a disabled
 77 veteran or a surviving spouse, the County immediately must notify
 78 the disabled veteran or the surviving spouse of the request.

79 (e) Amount and duration of credit.

80 (1) The property tax credit granted under this section must equal:

81 (A) 50[[%]] percent of the County property tax imposed on the
 82 dwelling house if the disabled veteran's service-connected
 83 disability rating is at least 75[[% but not more than 99%]]
 84 percent and the disabled veteran does not qualify for a
 85 property tax exemption under Section 7-208 of the Tax-
 86 Property Article of the Maryland Code, as amended; or

87 (B) 25 [[%]] percent of the County property tax imposed on the
 88 dwelling house if the disabled veteran's service-connected
 89 disability rating is at least 50[[%]] percent but not more than
 90 74[[%]] percent.

91 (2) The credit must be granted each year the individual remains
 92 eligible for the credit.

93 (3) If a disabled veteran to whom the County granted the credit dies,
 94 the County must grant the same credit amount to the surviving
 95 spouse of the veteran.

96 (f) Regulations. The County Executive may issue regulations under
 97 Method (2) to administer this tax credit.

Approved:



July 30, 2024

Andrew Friedson, President, County Council

Date

Approved:



August 8, 2024

Marc Elrich, County Executive

Date

This is a correct copy of Council action.



August 8, 2024

Sara R. Tenenbaum, Clerk of the Council

Date