

**Action**

**MEMORANDUM**

June 13, 2014

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *AMihill*

SUBJECT: **Action:** Expedited Bill 24-14, Property Tax Credit – Accessibility Features – Eligible Features

**Government Operations and Fiscal Policy Committee recommendation: enact Bill 24-14.**

Expedited Bill 24-14, Property Tax Credit – Accessibility Features – Eligible Features, sponsored by Council Vice President Leventhal and Councilmembers Navarro, Riemer, and Branson, was introduced on May 6. A public hearing was held on June 10 at which a representative from the Executive expressed support for Bill 24-14 (©8). A Government Operations and Fiscal Policy Committee worksession was held on June 12.

Bill 24-14 would change the accessibility features eligible for a property tax credit for installing accessibility features on a single-family home. Specifically, Bill 24-14 would amend the definition of feature to ensure that the opening for an exterior doorway is 32 inches rather than 36 inches. In addition to the Executive, the Maryland-National Capital Building Industry Association urged the Council to support Bill 24-14 (©9).

**Committee recommendation (3-0):** enact Bill 24-14. As the testimony from the Executive branch explains, this change is consistent with the U.S. Access Board’s ADA Accessibility Guidelines and will provide more realistic options to encourage builders to make this accessibility improvement while allowing adequate clearance for wheelchairs.

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Expedited Bill No. 24-14  
Concerning: Property Tax Credit –  
Accessibility Features – Eligible  
Features  
Revised: 4/21/2014 Draft No. 1  
Introduced: May 6, 2014  
Expires: November 6, 2015  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: July 1, 2014  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council Vice President Leventhal and Councilmembers Navarro, Riemer, and Branson

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**AN EXPEDITED ACT to:**

- (1) change the accessibility features eligible for a property tax credit for installing accessibility features on a single-family home; and
- (2) generally amend County law regarding property tax credits.

By amending

Montgomery County Code  
Chapter 52, Taxation  
Section 52-18T

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

**Sec. 1. Section 52-18T is amended as follows:**

**52-18T. Property Tax Credit – Accessibility Features.**

(a) *Definitions.* In this Section, the following terms have the meaning indicated.

\* \* \*

*Feature* means a permanent modification to a residence that results in:

\* \* \*

(4) an exterior doorway that provides a [36] 32-inch wide or wider clear opening, but only if accompanied by exterior lighting that is either controlled from inside the residence, automatically controlled, or continuously on;

\* \* \*

**Sec. 2. Expedited Effective Date.**

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on July 1, 2014.

*Approved:*

\_\_\_\_\_  
Craig L. Rice, President, County Council Date

*Approved:*

\_\_\_\_\_  
Isiah Leggett, County Executive Date

*This is a correct copy of Council action.*

\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council Date

## LEGISLATIVE REQUEST REPORT

Expedited Bill 24-14

*Property Tax Credit – Accessibility Features-Eligible Features*

**DESCRIPTION:** Expedited Bill 24-14 would amend the definition of feature to ensure that the opening for an exterior doorway is 32 inches rather than 36 inches.

**PROBLEM:** Industry representatives have indicated that the opening of the exterior door is intended to have the 32-inch clear opening. If the 36-inch or wider clear opening is required it would require a much larger door that may not be readily available.

**GOALS AND OBJECTIVES:** To revise the accessibility features eligible for the property tax credit.

**COORDINATION:** Departments of Permitting Services and Finance.

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Amanda Mihill, Legislative Attorney, 240-777-7815

**APPLICATION WITHIN MUNICIPALITIES:** Property tax credit are available throughout the County

**PENALTIES:** N/A



ROCKVILLE, MARYLAND

MEMORANDUM

May 21, 2014

TO: Craig Rice, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget  
For Joseph F. Beach, Director, Department of Finance

SUBJECT: Council Bill 24-14E, Property Tax Credit-Accessibility Features- Eligible Features

Please find attached the fiscal and economic impact statements for the above-referenced legislation.

JAH:fz


cc: Bonnie Kirkland, Assistant Chief Administrative Officer  
Lisa Austin, Offices of the County Executive  
Joy Nurmi, Special Assistant to the County Executive  
Patrick Lacefield, Director, Public Information Office  
Joseph F. Beach, Director, Department of Finance  
Michael Coveyou, Department of Finance  
David Platt, Department of Finance  
Robert Hagedoorn, Department of Finance  
Diane Jones, Director, Department of Transportation  
Dennis Hetman, Office of Management and Budget  
Alex Espinosa, Office of Management and Budget  
Felicia Zhang, Office of Management and Budget  
Naeem Mia, Office of Management and Budget


**Fiscal Impact Statement**  
**Council Bill 24-14E Property Tax Credit – Accessibility Features – Eligible Features**

1. Legislative Summary (Enter narrative that explains the purpose of the legislation).  
This bill will change the accessibility feature for exterior doors from 36 inches to 32 inches.
2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.  
There will be no change in revenues or expenditures as a result of this bill. Inspectors currently measure door widths. Changing the width amount is included in the work inspectors currently perform.
3. Revenue and expenditure estimates covering at least the next 6 fiscal years.  
There will be no impact to revenues or expenditures as a result of this bill.
4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.  
Not applicable.
5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.  
The legislation does not authorize future spending.
6. An estimate of the staff time needed to implement the bill.  
There will be no additional staff time needed to implement the regulation.
7. An explanation of how the addition of new staff responsibilities would affect other duties.  
Not applicable.
8. An estimate of costs when an additional appropriation is needed.  
No additional appropriation will be needed.
9. A description of any variable that could affect revenue and cost estimates.  
Not applicable.
10. Ranges of revenue or expenditures that are uncertain or difficult to project.  
Not applicable
11. If a bill is likely to have no fiscal impact, why that is the case.  
There will be no change in revenues or expenditures as a result of this bill. Inspectors currently measure door widths. Changing the width amount is included in the work inspectors currently perform.
12. Other fiscal impacts or comments.  
Not applicable.

13. The following contributed to and concurred with this analysis: (Enter name and department).

Reginald Jetter Director, DPS  
Dennis Hetman OMB

  
Jennifer A. Hughes, Director  
Office of Management and Budget

  
Date

**Economic Impact Statement**  
**Bill 24-14E, Property Tax Credit – Accessibility Features – Eligible Features**

**Background:**

This legislation would change the accessibility features for a property tax credit. Bill 24-14E amends Section 52-18T of the County Code to ensure that the opening for an exterior doorway is 32 inches rather than 36 inches – a difference of 4 inches.

**1. The sources of information, assumptions, and methodologies used.**

Not applicable

**2. A description of any variable that could affect the economic impact estimates.**

Not applicable

**3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.**

Bill 24-14E has no economic effect on employment, spending, saving, investment, incomes, and property values in the County

**4. If a Bill is likely to have no economic impact, why is that the case?**

The Bill has no economic impact because the effect on the cost of construction material is negligible, while there is no effect on employment for either material suppliers or construction companies.

**5. The following contributed to and concurred with this analysis:**

David Platt, Rob Hagedoorn, and Mike Coveyou, Department of Finance.

  
\_\_\_\_\_  
Joseph F. Beach, Director  
Department of Finance

5/9/14  
\_\_\_\_\_  
Date



Public Hearing Testimony on Behalf of County Executive Isiah Leggett  
Expedited Bill 24-14  
Property Tax Credit – Accessibility Features – Eligible Features

June 10, 2014

Good afternoon Council President Rice and Members of the County Council. For the record, my name is Reginald Jetter, Customer Service Division Chief within the Department of Permitting Services, and I am speaking today on behalf of County Executive Isiah Leggett in support of Bill 24-14.

This bill would change the accessibility features eligible for a property tax credit by amending the definition of “feature.” It would amend the required exterior doorway width from a 36-inch wide or wider clear opening to a 32-inch wide or wider clear opening. This change is consistent with United States Access Board, ADA Accessibility Guidelines (ADAAG). This change provides more realistic options to builders while allowing adequate clearance for wheelchairs to move freely through doors without difficulty. We believe this technical change is appropriate as it will provide consistency in the enforcement of accessible door widths.

We look forward to working with the Council on implementing this change.



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June 9, 2014

To: Montgomery County Council  
 Re: Expedited Bill 24-14, Property Tax Credit - Accessibility Features - Eligible Features

The Building Industry supports Expedited Bill 24-14, Property Tax Credit - Accessibility Features - Eligible Features.

The amendment changes the definition to ensure that the clear opening of an external doorway is 32 inches or wider rather than 36 inches or wider. This change would match:

- Standard practice,
- Montgomery County's Design for Life Technical Guidelines, and
- ANSI A117.1-2009, Standard for Accessible and Usable Buildings and Facilities.

For these reasons, please support Expedited Bill 24-14.

Annette Rosenblum, Director of Regulatory Affairs  
 Maryland-National Capital Building Industry Association  
 Maryland Center for Housing  
 11825 W. Market Place  
 Fulton, MD 20759  
[arosenblum@mncbia.org](mailto:arosenblum@mncbia.org)  
 301-445-5407 (Office)  
 240-678-8100 (Cell)

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