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Maryland Historical Trust

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CODE OF MARYLAND

Tax-Property Article

TITLE 9. Property Tax Credits and Property Tax Relief

Subtitle 2. Statewide Optional

§ 9-204. Historically valuable, architecturally valuable, or architecturally compatible structures.

[NOTE: This is the statute authorizing a property tax *credit*]

(a) *Qualifications.*- To qualify under this section, a structure shall:

- (1) have historic value;
- (2) have architectural value; or
- (3) be designated under Article [66B](#), § [2.12](#) or §§ [8.01](#) through 8.17, Article [25A](#), § [5\(X\)](#) or (BB), or Article [28](#), § [8-101\(c\)](#) of the Code, or the charter powers of Baltimore City, as:
 - (i) an architecturally compatible new structure that is located in a historic district; or
 - (ii) a landmark.

(b) *Property tax credit of 10%.*- A property tax credit of up to 10% of the properly documented expenses of a private owner taxpayer for the restoration and preservation of a structure that the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation determines has historic or architectural value may be granted, by law, by the Mayor and City Council of Baltimore City or the governing body against the county or municipal corporation property tax imposed.

(c) *Property tax credit of 5%.*- A property tax credit of up to 5% of the properly documented expenses of a private owner taxpayer for the construction of an architecturally compatible new structure in a historic district may be granted, by law, by the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation against the county or municipal corporation property tax imposed.

(d) *Historic district commissions.*- If a historic district commission is established by the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation, only the historic district commission shall designate each structure in the county or municipal corporation that is eligible for a property tax credit under this section.

(e) *Subsequent use of credit.*- A property tax credit granted in 1 year under this section may be applied to any property tax on the structure for up to 5 subsequent tax years.

(f) *Procedures and conditions.*- The Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation may provide for any procedure or condition necessary to carry out this section.

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(g) *Exhibitions.*- The county or a municipal corporation may require the owner of a structure granted a tax credit under this section to periodically exhibit the structure for public education.

[An. Code 1957, art. 81, § 12G; 1985, ch. 8, § 2; 1986, ch. 171; 1989, ch. 5, § 1; 1995, ch. 3, § 22.]

§ 9-204.1. Restorations and rehabilitations of historic or heritage properties

[NOTE: This is the statute authorizing property tax *abatement*]

- (a) *"Eligible improvements" defined.*- In this section, "eligible improvements" means significant improvements to, or restoration or rehabilitation of, historic or heritage properties.
- (b) *Declaration of public interest.*- The General Assembly declares that it is in the general public interest to foster and encourage historic preservation and heritage tourism activities through improvement, restoration, and rehabilitation of, historic or heritage property so as to:
- (1) preserve and protect the heritage of the State as represented by its remaining historic buildings and structures;
 - (2) stimulate the positive aspects of historic or heritage preservation, such as economic development and employment opportunities; and
 - (3) implement and effect local government planning activities aimed at preserving historic structures, sites, districts, and heritage areas.
- (c) *Legislative intent.*- It is the intent of the General Assembly that:
- (1) the taxation of significant improvements to, and restoration or rehabilitation of, historic or heritage properties be maintained, for a period of up to 10 years, at taxation levels not greater than those in place before the eligible improvements if approved as part of a local government plan for historic or heritage preservation;
 - (2) the methods and procedures to implement a program for the purposes of this section be determined by the applicable local government; and
 - (3) State financial assistance to a local government not be conditioned upon the local government implementing a program under this section.
- (d) *Property tax program - Implementation; amount; procedures.*- The Mayor and City Council of Baltimore, the governing body of each county, and the governing body of each municipal corporation may:
- (1) implement, by law, a program that provides for a property tax credit not to exceed the difference between:
 - (i) the property tax that, but for the tax credit, would be payable after the completion of eligible improvements; and
 - (ii) the property tax that would be payable if the eligible improvements were not made; and
 - (2) adopt any requirements and procedures that are necessary or appropriate to carry out the purposes of this section.
- (e) *Eligibility requirements.*- A property tax credit provided for under this section shall:
- (1) be subject to eligibility requirements no less stringent than those applicable to credits authorized under [§ 9-204 of this subtitle](#);
 - (2) be for a period that does not exceed 10 years for each property;
 - (3) apply to eligible improvements which are:
 - (i) located within the boundaries of:
 1. a property listed individually on the National Register of Historic Places, or a national register historic or landmark district; or
 2. a property or district designated as a historic property or district under local law; or

3. a property included within the boundaries of a certified heritage area under § [13-1111 of the Financial Institutions Article](#); and
- (ii) for a property or district under paragraph (3)(i)1 or 2 of this subsection, determined by the local historic district commission to be compatible with local historic preservation standards.

[1994, ch. 657; 1996, ch. 601, § 1.]