

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 9

Resolution No. 17-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, May 1, 2023

1 RESOLUTION increasing the rate of transfer tax on a written instrument conveying
2 title to real property or a leasehold interest in real property when the consideration paid or
3 to be paid for the conveyance is \$1,000,000 or more

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5 WHEREAS, § 4-3A-102 of the County Code was enacted by the Maryland General
6 Assembly as a public local law to authorize the County to impose a transfer tax up
7 to a maximum of 1% on written instruments conveying title to or a leasehold
8 interest in real property; and

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10 WHEREAS, in § 4-3A-101, the County imposes and levies a real property transfer
11 tax in the amount of 1% of the consideration paid or to be paid for the transfer, as
12 authorized by § 4-3A-102; and

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14 WHEREAS, in 2021, the General Assembly passed House Bill 933 (2021 Md.
15 Laws Ch. 10, § 1) (the “State enactment”), which, among other things, amended §
16 4-3A-102(b) of the County Code to authorize the County to increase, by resolution,
17 the rate of transfer tax imposed on written instruments conveying title to or a
18 leasehold interest in real property if the actual consideration paid or to be paid is
19 \$1,000,000 or more; and

20
21 WHEREAS, the State enactment required that revenue derived from the tax rate in
22 excess of 1% imposed on transfers in which consideration paid or to be paid is
23 \$1,000,000 or more be distributed to the Housing Trust Special Revenue Fund (the
24 “special fund”), also created by the State enactment, and currently designated as §
25 4-11-124 of the County Code; and

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27 WHEREAS, the County Executive requests that the transfer tax be imposed on
28 written instruments conveying title to or a leasehold interest in real property if the
29 actual consideration paid or to be paid is \$1,000,000 or more at the rate of 1.5% of
30 the actual consideration paid or to be paid; now, therefore, be it

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32 *Resolved by the County Council of Anne Arundel County, Maryland, That, beginning*
33 *July 1, 2023, the transfer tax rate is 1.5% of the actual consideration paid or to be paid on*
34 *written instruments conveying title to or a leasehold interest in real property if the actual*
35 *consideration paid or to be paid is \$1,000,000 or more; and be it further*

36
37 *Resolved, That this Resolution shall be effective upon its adoption in accordance with*
38 *applicable law.*