

FOR the purpose of authorizing the County Council of Prince George's County to eliminate the transfer tax on mortgages or deeds of trust for refinancing property by the original mortgagor or mortgagors; authorizing the County Council of Prince George's County to provide for the deferral or abatement of the tax on instruments conveying title or interest in real property under certain conditions and with certain limitations; and generally relating to the transfer tax.

BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George's County
Section 10-187
Article 17 - Public Local Laws of Maryland
(1975 Edition, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Code of Public Local Laws of Maryland be repealed, amended, or enacted to read as follows:

Article 17 - Prince George's County

10-187.

(A) The Council is authorized and empowered to impose a tax, at a rate not to exceed one percent (1%) of the actual consideration paid or to be paid under every instrument of writing conveying title to real property, or any interest therein, in the County, offered for record and recorded in the County, provided that conveyances to the State or any agency thereof or any political subdivision of the State, shall not be subject to the tax imposed by this Section. The term "instrument of writing" shall include deeds, mortgages, deeds of trust, leases, contracts and agreements, but shall not include purchase money mortgages, purchase money deeds of trust, assignments of mortgages or releases, provided, however, upon any refinancing of property, by the original mortgagor or mortgagors the tax shall apply only to the consideration over and above the amount of the original mortgage or deed of trust. THE COUNTY COUNCIL MAY, BY ORDINANCE, PROVIDE THAT ANY INSTRUMENT OF WRITING FOR THE REFINANCING OF PROPERTY BY THE ORIGINAL MORTGAGOR OR MORTGAGORS SHALL NOT BE SUBJECT TO THE TAX IMPOSED BY THIS SECTION.

(B) THE COUNCIL MAY, BY ORDINANCE, PROVIDE FOR DEFERRAL OR ABATEMENT OF THE TAX IMPOSED BY THIS SECTION ON THE TRANSFER OF PROPERTY TO FULFILL THE TERMS OF A VALID LISTING AGREEMENT BETWEEN THE GRANTOR AND GRANTEE AND A VALID CONTRACT ENTERED INTO BY THE GRANTOR FOR THE PURCHASE OF ANOTHER PROPERTY. HOWEVER, A DEFERRAL MAY NOT BE FOR MORE THAN 180 DAYS, AND ABATEMENT SHALL BE CONTINGENT UPON CONVEYANCE OF ALL THE GRANTEE'S INTEREST TO A THIRD PARTY WITHIN THE SAME 180 DAYS. THERE SHALL BE NO DEFERRAL OR