

SENATE BILL 631

Q8

3lr1918
CF HB 815

By: **Senators King, DeGrange, Forehand, Garagiola, Klausmeier, Manno, Miller, and Peters**

Introduced and read first time: February 1, 2013

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2013

CHAPTER _____

1 AN ACT concerning

2 **Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center**

3 FOR the purpose of providing an exemption ~~for certain counties~~ from certain hotel
4 rental taxes and transient occupancy taxes imposed by certain counties for the
5 sale of a right to occupy a room or lodgings as a transient guest at certain
6 facilities or campuses; authorizing certain taxpayers to claim certain refunds;
7 providing for the application of this Act; and generally relating to providing a
8 certain exemption under certain county hotel rental and transient occupancy
9 taxes.

10 ~~BY adding to~~

11 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

12 ~~Section 9-306 and 9-602(f)~~

13 ~~Annotated Code of Maryland~~

14 ~~(2011 Replacement Volume and 2012 Supplement)~~

15 BY repealing and reenacting, with amendments,

16 Article – Local Government

17 Section 20-404

18 Annotated Code of Maryland

19 (As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
20 2013)

21 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) THE HOTEL RENTAL TAX DOES NOT APPLY TO THE SALE OF A RIGHT**
 2 **TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST AT A DORMITORY OR**
 3 **OTHER LODGING FACILITY THAT:**

4 **(1) ~~IS~~ IS OPERATED SOLELY IN SUPPORT OF THE**
 5 **HEADQUARTERS, A TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS**
 6 **FACILITY, OR THE CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;**

7 **(2) ~~PROVIDES~~ PROVIDES LODGING SOLELY FOR EMPLOYEES,**
 8 **CONTRACTORS, VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT**
 9 **OWNS THE DORMITORY OR LODGING FACILITY; AND**

10 **(3) ~~DOES~~ DOES NOT OFFER LODGING SERVICES TO THE GENERAL**
 11 **PUBLIC.**

12 ~~9-602.~~

13 **[(a)] (B) By resolution, Calvert County and St. Mary's County may provide**
 14 **a tax exemption for classes of hotels.**

15 **[(b)] (C) In Carroll County, the hotel rental tax does not apply to a hotel**
 16 **with 10 or fewer sleeping rooms.**

17 **[(c)] (D) Cecil County may impose the hotel rental tax only on a transient**
 18 **charge paid to a hotel located in any part of Cecil County that:**

19 (1) is specified by the governing body of Cecil County as a population
 20 center;

21 (2) is not larger than 10 square miles in geographic area; and

22 (3) has a population of at least 6,000 residents.

23 **[(d)] (E) In Frederick County, the hotel rental tax does not apply to a hotel**
 24 **with:**

25 (1) 10 or fewer sleeping rooms in its main building; and

26 (2) not more than 20 additional sleeping rooms in auxiliary structures
 27 on the hotel's property.

28 **[(e)] (F) In Washington County, the hotel rental tax does not apply to a**
 29 **transient charge paid to a hotel by:**

30 (1) the federal government;

1 52-17.

2 (E) THE COUNCIL MAY NOT IMPOSE A TAX ON THE SALE OF A RIGHT TO
3 OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST AT A DORMITORY OR
4 OTHER LODGING FACILITY THAT:

5 (1) IS OPERATED SOLELY IN SUPPORT OF THE HEADQUARTERS, A
6 TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS FACILITY, OR THE
7 CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;

8 (2) PROVIDES LODGING SOLELY FOR EMPLOYEES, CONTRACTORS,
9 VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT OWNS THE
10 DORMITORY OR LODGING FACILITY; AND

11 (3) DOES NOT OFFER LODGING SERVICES TO THE GENERAL
12 PUBLIC.

13 Article 17 – Prince George’s County

14 10-218.01.

15 (C) THE TAX AUTHORIZED UNDER THIS SECTION DOES NOT APPLY TO
16 THE SALE OF A RIGHT TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT
17 GUEST AT A DORMITORY OR OTHER LODGING FACILITY THAT:

18 (1) IS OPERATED SOLELY IN SUPPORT OF THE HEADQUARTERS, A
19 TRAINING FACILITY, A CONFERENCE FACILITY, AN AWARDS FACILITY, OR THE
20 CAMPUS OF A CORPORATION OR OTHER ORGANIZATION;

21 (2) PROVIDES LODGING SOLELY FOR EMPLOYEES, CONTRACTORS,
22 VENDORS, AND OTHER INVITEES OF THE CORPORATION THAT OWNS THE
23 DORMITORY OR LODGING FACILITY; AND

24 (3) DOES NOT OFFER LODGING SERVICES TO THE GENERAL
25 PUBLIC.

26 SECTION 2. AND BE IT FURTHER ENACTED, That a taxpayer may claim a
27 refund from a local government for any hotel rental or transient occupancy taxes paid
28 after June 30, 2010, if the taxes were paid on a transaction that is exempt under this
29 Act.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2013, and shall be applicable to all taxes imposed after June 30, 2010.