



BILL NO.: Senate Bill 740
TITLE: Property Tax – Charter Counties – Education Funding
POSITION: **OPPOSE**
DATE: February 22, 2012
COMMITTEE: Budget and Taxation
CONTACT: Andrea Mansfield

The Maryland Association of Counties (MACo) **OPPOSES** SB 740. This bill would authorize the county council of a charter county to set a property tax rate higher than the rate authorized in the county’s charter for the sole purpose of funding the approved budget of the county board of education.

Five jurisdictions currently have language in their charters to limit property tax rates or revenue growth. These jurisdictions are Anne Arundel, Montgomery, Prince George’s, Talbot, and Wicomico. However, SB 740 is of concern to the whole county community, as it raises significant “division of powers” concerns about the appropriate state and local roles for local decision-making.

Elected officials are voted into office to carry out the will of the people. State law explicitly created the process for charter amendment, including the limitations that are the target of this bill. These charter amendments were brought forth and approved by voters, and their actions clearly expressed the will of those living in these jurisdictions. Therefore, these actions should stand until such time that the voters themselves are willing to take steps to overturn them. A new state law should not intervene and reframe the structure that was a foundation for the development of county charter government.

While it is unclear whether a county with a property tax or revenue growth limit would choose to increase their property tax rates should this bill pass, counties oppose the message and precedent of this bill in allowing state policy to override those actions that have been approved by a jurisdiction’s voters.

MACo urges the Committee to give SB 740 an **UNFAVORABLE** report.