

HOUSE BILL 677

Q2, C8

3lr0761

By: **Montgomery County Delegation**

Introduced and read first time: February 1, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Property Tax Credit for Qualified Enterprise Zone**
3 **Property – Glenmont**

4 **MC 18–13**

5 FOR the purpose of altering a certain definition of “qualified enterprise zone property”
6 as it relates to a certain property tax credit granted by the governing body of
7 Montgomery County or of a municipal corporation in Montgomery County to
8 include certain property zoned for certain uses located in certain parts of the
9 area encompassed by the Glenmont Sector Plan; providing for the application of
10 this Act; and generally relating to a property tax credit granted by Montgomery
11 County or a municipal corporation in Montgomery County against county or
12 municipal property tax imposed on an eligible business entity on qualified
13 enterprise zone property.

14 BY repealing and reenacting, with amendments,

15 Article – Tax – Property
16 Section 9–317(f)
17 Annotated Code of Maryland
18 (2012 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Tax – Property**

22 9–317.

23 (f) (1) (i) In this subsection the following words have the meanings
24 indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) “Eligible business entity” means a person who operates or
 2 conducts a trade or business on qualified enterprise zone property but does not own
 3 the qualified enterprise zone property.

4 (iii) “Qualified enterprise zone property” means real property
 5 that:

6 1. A. is not used for residential purposes;

7 [2.] B. is used in a trade or business by an eligible
 8 business entity;

9 [3.] C. is located in an enterprise zone that is
 10 designated under Title 5, Subtitle 7 of the Economic Development Article; and

11 [4.] D. is eligible for the property tax credit under §
 12 9–103 of this title; OR

13 2. A. IS LOCATED WITHIN THE AREA
 14 ENCOMPASSED BY THE GLENMONT SHOPPING CENTER AREA, THE METRO
 15 STATION/LAYHILL TRIANGLE BLOCK, AND THE PRIVACY WORLD AREA OF THE
 16 GLENMONT SECTOR PLAN DEVELOPED BY THE MONTGOMERY COUNTY
 17 PLANNING DEPARTMENT;

18 B. IS ZONED FOR COMMERCIAL OR
 19 COMMERCIAL/RESIDENTIAL MIXED USE DEVELOPMENT; AND

20 C. HAS HAD IMPROVEMENTS MADE ON IT ON OR
 21 BEFORE JANUARY 1, 2025.

22 (2) Subject to paragraphs (4) and (5) of this subsection, the governing
 23 body of Montgomery County or of a municipal corporation in Montgomery County may
 24 grant, by law, a property tax credit against the county or municipal corporation
 25 property tax imposed on:

26 (i) improvements made by an eligible business entity to
 27 qualified enterprise zone property; and

28 (ii) personal property owned by an eligible business entity
 29 located on qualified enterprise zone property.

30 (3) (i) The governing body of Montgomery County or of a municipal
 31 corporation in Montgomery County may provide, by law, for:

32 1. the amount and duration of a credit under this
 33 subsection;

1 2. additional eligibility criteria for a credit under this
2 subsection; and

3 3. any other provision necessary to carry out a credit
4 under this subsection.

5 (ii) The governing body of Montgomery County or of a municipal
6 corporation in Montgomery County shall define, by law, the improvements eligible for
7 a credit under this subsection.

8 (4) The lessor of real property granted a credit under paragraph (2)(i)
9 of this subsection shall reduce the amount of taxes for which an eligible business
10 entity is contractually liable under the lease agreement by the amount of any credit
11 granted under paragraph (2)(i) of this subsection for improvements made by the
12 eligible business entity.

13 (5) The lessor of real property that receives a credit under § 9-103 of
14 this title may not be granted a credit under this subsection.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 June 1, 2013, and shall be applicable to all taxable years beginning after June 30,
17 2013.