

Chapter 538

(Senate Bill 605)

AN ACT concerning

Property Tax Credit – ~~Upper Stories of~~ Commercial Structures – Rehabilitation

FOR the purpose of authorizing the governing body of Baltimore City, a county, or a municipal corporation to provide a property tax credit against the county or municipal corporation property tax imposed on an existing commercial structure in which a certain investment is made to allow for adaptive reuse ~~of the upper stories~~ of the structure; providing for the amount and duration of the tax credit; authorizing the governing body of Baltimore City, a county, or a municipal corporation to provide for certain matters relating to the tax credit; defining a certain term; providing for the application of this Act; and generally relating to a property tax credit for rehabilitation ~~of the upper stories~~ of existing commercial structures.

BY adding to

Article – Tax – Property

Section 9–256

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Article – Tax – Property

9–256.

(A) (1) IN THIS SECTION, “QUALIFYING INVESTMENT” MEANS THE COST OF INSTALLATION OR REHABILITATION OF BUILDING FEATURES FOR THE PURPOSE OF BRINGING ~~AN UPPER STORY OF~~ AN EXISTING COMMERCIAL STRUCTURE INTO COMPLIANCE WITH CURRENT BUILDING CODES RELATING TO SAFETY OR ACCESSIBILITY.

(2) “QUALIFYING INVESTMENT” INCLUDES COSTS INCURRED FOR:

(I) ELEVATORS;

(II) FIRE SUPPRESSION SYSTEMS;

(III) MEANS OF INGRESS OR EGRESS; OR

(IV) ARCHITECTURAL OR ENGINEERING SERVICES RELATED TO INSTALLATION OR REHABILITATION OF THESE OR SIMILAR BUILDING FEATURES.

(B) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON AN EXISTING COMMERCIAL STRUCTURE IN WHICH A QUALIFYING INVESTMENT IS MADE FOR THE PURPOSE OF ALLOWING FOR ADAPTIVE REUSE OF ~~THE UPPER STORIES OF~~ THE STRUCTURE.

(C) THE TAX CREDIT UNDER THIS SECTION ~~SHALL BE~~ MAY:

(1) ~~EQUAL TO~~ NOT EXCEED 50% OF THE AMOUNT OF QUALIFYING INVESTMENT IN A STRUCTURE; AND

(2) ~~GRANTED FOR~~ BE GRANTED FOR UP TO A 10-YEAR PERIOD IN AN EQUAL AMOUNT EACH YEAR.

(D) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY PROVIDE, BY LAW, FOR:

~~(1) THE SALE OF THE TAX CREDIT UNDER THIS SECTION BY THE ORIGINAL RECIPIENT OF THE CREDIT TO ANOTHER PERSON MAKING A QUALIFYING INVESTMENT IN AN EXISTING COMMERCIAL STRUCTURE IN THE SAME COUNTY OR MUNICIPALITY;~~

~~(2)~~ (1) THE MAXIMUM AMOUNT OF THE TAX CREDIT THAT MAY BE PROVIDED TO A SINGLE RECIPIENT OR ALL RECIPIENTS IN A TAXABLE YEAR;

~~(3)~~ (2) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT;

~~(4)~~ (3) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT; AND

~~(5)~~ (4) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE
TAX CREDIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2014, and shall be applicable to all taxable years beginning after June 30, 2014.

Approved by the Governor, May 15, 2014.