

SENATE BILL 605

Q2

4r2008
CF HB 691

By: **Senator Edwards**

Introduced and read first time: January 30, 2014

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 2014

CHAPTER _____

1 AN ACT concerning

2 **Property Tax Credit – ~~Upper Stories of~~ Commercial Structures –**
3 **Rehabilitation**

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

14 BY adding to

15 Article – Tax – Property

16 Section 9–256

17 Annotated Code of Maryland

18 (2012 Replacement Volume and 2013 Supplement)

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**

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 **9-256.**

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

7 (2) "QUALIFYING INVESTMENT" INCLUDES COSTS INCURRED
8 FOR:

9 (I) ELEVATORS;

10 (II) FIRE SUPPRESSION SYSTEMS;

11 (III) MEANS OF INGRESS OR EGRESS; OR

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

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

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

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

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

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

30 (1) ~~THE SALE OF THE TAX CREDIT UNDER THIS SECTION BY THE~~
31 ~~ORIGINAL RECIPIENT OF THE CREDIT TO ANOTHER PERSON MAKING A~~

1 ~~QUALIFYING INVESTMENT IN AN EXISTING COMMERCIAL STRUCTURE IN THE~~
2 ~~SAME COUNTY OR MUNICIPALITY;~~

3 ~~(2)~~ (1) THE MAXIMUM AMOUNT OF THE TAX CREDIT THAT MAY
4 BE PROVIDED TO A SINGLE RECIPIENT OR ALL RECIPIENTS IN A TAXABLE YEAR;

5 ~~(3)~~ (2) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX
6 CREDIT;

7 ~~(4)~~ (3) REGULATIONS AND PROCEDURES FOR THE
8 APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT;
9 AND

10 ~~(5)~~ (4) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE
11 TAX CREDIT.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 June 1, 2014, and shall be applicable to all taxable years beginning after June 30,
14 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.