

SENATE BILL 541

Q2

5lr1987
CF HB 507

By: **Senator McFadden (By Request – Baltimore City Administration)**

Introduced and read first time: February 6, 2015

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2015

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Property Tax Credit – Supermarkets**

3 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by
4 law, a property tax credit against the personal property tax imposed on personal
5 property of a supermarket that completes certain construction and is located in ~~or~~
6 ~~near~~ a certain food desert retail incentive area; requiring the Mayor and City Council
7 of Baltimore City to designate what constitutes a food desert retail incentive area for
8 purposes of the tax credit; providing that the tax credit may not exceed a certain
9 amount; authorizing the Mayor and City Council of Baltimore City to provide, by
10 law, for certain matters relating to the tax credit; defining certain terms; providing
11 for the application of this Act; and generally relating to a personal property tax credit
12 for certain supermarkets in Baltimore City.

13 BY adding to

14 Article – Tax – Property

15 Section 9–304(h)

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2014 Supplement)

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

20 **Article – Tax – Property**

21 9–304.

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 **(H) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(II) “ELIGIBLE CONSTRUCTION” MEANS CONSTRUCTION OF A**
4 **NEW SUPERMARKET OR ANY SUBSTANTIAL RENOVATION OF AN EXISTING**
5 **SUPERMARKET.**

6 **(III) “SUPERMARKET” MEANS A GROCERY STORE THAT HAS:**

7 **1. ALL MAJOR FOOD DEPARTMENTS, INCLUDING**
8 **PRODUCE, MEAT, SEAFOOD, DAIRY, AND CANNED AND PACKAGED GOODS;**

9 **2. MORE THAN 50% OF TOTAL SALES DERIVED FROM**
10 **FOOD SALES; AND**

11 **3. MORE THAN 50% OF TOTAL FLOOR SPACE DEDICATED**
12 **TO FOOD SALES.**

13 **(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY**
14 **GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE**
15 **COUNTY PERSONAL PROPERTY TAX IMPOSED ON PERSONAL PROPERTY THAT IS**
16 **OWNED BY A SUPERMARKET THAT:**

17 **(I) COMPLETES ELIGIBLE CONSTRUCTION; AND**

18 **(II) IS LOCATED IN A FOOD DESERT ~~OR WITHIN ONE-QUARTER~~**
19 **~~OF A MILE OF A FOOD DESERT~~ RETAIL INCENTIVE AREA.**

20 **(3) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL, BY**
21 **LAW, DESIGNATE WHAT CONSTITUTES A FOOD DESERT RETAIL INCENTIVE AREA FOR**
22 **PURPOSES OF THE TAX CREDIT UNDER THIS SUBSECTION.**

23 **(4) A PROPERTY TAX CREDIT GRANTED UNDER THIS SUBSECTION**
24 **FOR A TAXABLE YEAR MAY NOT EXCEED THE AMOUNT OF PROPERTY TAX IMPOSED**
25 **ON THE PERSONAL PROPERTY OF A SUPERMARKET IN THAT YEAR.**

26 **(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY**
27 **ESTABLISH, BY LAW:**

28 **(I) LIMITS ON THE CUMULATIVE AMOUNT OF PROPERTY TAX**
29 **CREDITS GRANTED UNDER THIS SUBSECTION;**

30 **(II) ADDITIONAL LIMITATIONS ON THE AMOUNT OF THE CREDIT;**

1 (III) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR
2 SUPERMARKETS TO QUALIFY FOR THE TAX CREDIT UNDER THIS SUBSECTION;

3 (IV) ADDITIONAL CRITERIA FOR WHAT CONSTITUTES ELIGIBLE
4 CONSTRUCTION THAT MAY QUALIFY A SUPERMARKET FOR THE TAX CREDIT UNDER
5 THIS SUBSECTION; AND

6 (V) ANY OTHER PROVISIONS NECESSARY TO CARRY OUT THIS
7 SUBSECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~June~~
9 July 1, 2015, and shall be applicable to all taxable years beginning after ~~June 30~~ December
10 31, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.