

Chapter 42

**(Senate Bill 47)**

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies**

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain property owned or leased by a benefit corporation or benefit limited liability company; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the eligibility criteria, amount, duration, application process, and other aspects of the credit; defining certain terms; providing for the application of this Act; and generally relating to authorizing a property tax credit in Anne Arundel County for benefit corporations and benefit limited liability companies.

BY adding to

Article – Tax – Property

Section 9–303(b)(5)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

**Article – Tax – Property**

9–303.

(b) (5) (i) 1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

2. “BENEFIT CORPORATION” MEANS A MARYLAND CORPORATION THAT ELECTS TO BE A BENEFIT CORPORATION AND COMPLIES WITH TITLE 5, SUBTITLE 6C OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

3. “BENEFIT LIMITED LIABILITY COMPANY” MEANS A MARYLAND LIMITED LIABILITY COMPANY THAT ELECTS TO BE A BENEFIT LIMITED LIABILITY COMPANY AND COMPLIES WITH TITLE 4A, SUBTITLE 12 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

**(II) THE GOVERNING BODY OF ANNE ARUNDEL COUNTY OR OF A MUNICIPAL CORPORATION IN ANNE ARUNDEL COUNTY MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS PARAGRAPH AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL OR PERSONAL PROPERTY THAT IS:**

- 1. OWNED OR LEASED BY A BENEFIT CORPORATION OR BENEFIT LIMITED LIABILITY COMPANY;**
- 2. NOT USED FOR RESIDENTIAL PURPOSES; AND**
- 3. USED IN A TRADE OR BUSINESS BY A BENEFIT CORPORATION OR BENEFIT LIMITED LIABILITY COMPANY.**

**(III) THE GOVERNING BODY OF ANNE ARUNDEL COUNTY OR OF A MUNICIPAL CORPORATION IN ANNE ARUNDEL COUNTY MAY PROVIDE, BY LAW, FOR:**

- 1. ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT;**
- 2. THE AMOUNT OF THE TAX CREDIT;**
- 3. THE DURATION OF THE TAX CREDIT, FOR A PERIOD NOT TO EXCEED 10 YEARS;**
- 4. REGULATIONS AND PROCEDURES FOR THE APPLICATION, CERTIFICATION, AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT;**
- 5. A LIMITATION ON THE AGGREGATE AMOUNT OF TAX CREDITS GRANTED UNDER THIS PARAGRAPH; AND**
- 6. ANY OTHER PROVISION NECESSARY TO CARRY OUT THE TAX CREDIT UNDER THIS PARAGRAPH.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016, and shall be applicable to all taxable years beginning after June 30, 2016.

**Approved by the Governor, April 12, 2016.**