

Chapter 137

(House Bill 572)

AN ACT concerning

Howard County – Property Tax Credit for Commercial Real Property – Flood Damage

Ho. Co. 9–17

FOR the purpose of authorizing the governing body of Howard County to grant, by law, a tax credit against the county property tax imposed on commercial real property that the governing body determines has suffered certain damage caused by flood conditions; authorizing the governing body of Howard County to specify the amount and duration of the credit and to provide for the implementation and administration of the credit; providing for the application of this Act; making this Act an emergency measure; and generally relating to a property tax credit in Howard County for certain flood damage to commercial real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–315(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Article – Tax – Property

9–315.

(a) The governing body of Howard County may grant, by law, a property tax credit under this section against the county property tax imposed on:

(1) property that:

(i) is owned by any community association;

(ii) is used for community, civic, educational, library, or park purposes; and

(iii) is not a swimming pool, tennis court, or similar recreational facility;

(2) real property that is subject to the county's agricultural land preservation program;

(3) subject to subsections (b) and (c) of this section, real property that is new construction or an improvement to real property owned or occupied by a commercial or industrial business that:

(i) is currently or will be doing business in Howard County;

(ii) will employ at least 12 additional full-time local employees by the second year in which the credit is allowed, not including any employee filling a job created when a job function is shifted from an existing location in the State to the location of the new construction or improvement; and

(iii) makes a substantial investment in Howard County, which may be:

1. the acquisition of a building, land, or equipment that totals at least \$2,000,000; or

2. the creation of 10 positions with salaries greater than the current average annual wage in Howard County;

(4) subject to subsection (b) of this section, real property that is used as a therapeutic riding facility by a nonprofit organization that:

(i) is exempt from taxation under § 501(c)(3) of the Internal Revenue Code;

(ii) provides services to disabled individuals; and

(iii) has at least 85% of its clients who are disabled individuals; [and]

(5) subject to subsection (b) of this section, owner-occupied residential real property that is jointly owned by an individual and the Howard County Housing Commission; AND

(6) SUBJECT TO SUBSECTION (B) OF THIS SECTION, COMMERCIAL REAL PROPERTY THAT THE GOVERNING BODY OF HOWARD COUNTY DETERMINES HAS SUFFERED FLOOD DAMAGE OR SEWER DAMAGE CAUSED BY FLOOD CONDITIONS.

(b) In establishing a tax credit under subsection (a)(3) through [(5)] **(6)** of this section, the governing body of Howard County:

(1) shall develop criteria necessary to implement the credit;

- (2) shall designate an agency to administer the credit; and
- (3) may specify:
 - (i) the amount and duration of the credit;
 - (ii) the qualifications and application procedures for the credit; and
 - (iii) any other requirement or procedure for the granting or administration of the credit that the governing body considers appropriate.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be applicable to all taxable years beginning after June 30, 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 11, 2017.