

HOUSE BILL 1049

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By: **Delegates Moon, Kittleman, Angel, Barkley, B. Barnes, Barron, Carr, Gutierrez, Platt, Sanchez, and Tarlau**

Introduced and read first time: February 8, 2017

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Interstate Compact on Washington Area Professional Football Team Franchise**
3 **Facility Incentives**

4 FOR the purpose of establishing the Interstate Compact on Washington Area Professional
5 Football Team Franchise Facility Incentives; prohibiting a party state, a local
6 jurisdiction in a party state, or a certain authority or corporation from providing
7 certain public incentives or financing for the construction of certain facilities except
8 under certain circumstances; prohibiting a party state, a local jurisdiction in a party
9 state, or a certain authority or corporation from utilizing public funds for certain
10 purposes; prohibiting a party state, a local jurisdiction in a party state, or a certain
11 authority or corporation from leasing or donating land to certain entities; authorizing
12 a party state to withdraw from the Compact only under certain circumstances;
13 providing that a party state is not required to comply with the Compact under certain
14 circumstances; providing for the application of certain provisions of this Act; defining
15 certain terms; making this Act subject to certain contingencies; and generally
16 relating to the Interstate Compact on Washington Area Professional Football Team
17 Franchise Facility Incentives.

18 BY adding to

19 Article – Economic Development

20 Section 14–401 and 14–402 to be under the new subtitle “Subtitle 4. Interstate
21 Compact on Washington Area Professional Football Team Franchise Facility
22 Incentives”

23 Annotated Code of Maryland

24 (2008 Volume and 2016 Supplement)

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

27 **Article – Economic Development**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 4. INTERSTATE COMPACT ON WASHINGTON AREA PROFESSIONAL**
2 **FOOTBALL TEAM FRANCHISE FACILITY INCENTIVES.**

3 **14-401.**

4 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
5 **INDICATED.**

6 **(B) “COMPACT” MEANS THE INTERSTATE COMPACT ON WASHINGTON**
7 **AREA PROFESSIONAL FOOTBALL TEAM FRANCHISE FACILITY INCENTIVES.**

8 **(C) “PARTY STATE” MEANS EACH STATE THAT HAS ENACTED THE**
9 **COMPACT.**

10 **(D) “PUBLIC INCENTIVES OR FINANCING” INCLUDES:**

11 **(1) TAX INCENTIVES REDUCING THE BURDEN OF STATE OR LOCAL**
12 **TAXES, INCLUDING SUBTRACTION MODIFICATIONS, CREDITS, AND EXEMPTIONS**
13 **FROM TAXATION;**

14 **(2) STATE OR LOCAL GRANTS, APPROPRIATIONS, AUTHORIZATIONS,**
15 **OR EXPENDITURES, INCLUDING THE ISSUANCE OF ANY STATE-SUPPORTED DEBT OR**
16 **ANY CONDUIT DEBT ISSUED BY A STATE AUTHORITY;**

17 **(3) STATE OR LOCAL LOANS; AND**

18 **(4) FINANCIAL ASSISTANCE IN THE CONSTRUCTION OF PRIVATE**
19 **INFRASTRUCTURE.**

20 **(E) “WASHINGTON AREA PROFESSIONAL FOOTBALL TEAM” MEANS A**
21 **CORPORATION FRANCHISED BY THE NATIONAL FOOTBALL LEAGUE, INC., LOCATED**
22 **OR PROPOSED TO BE LOCATED IN THE DISTRICT OF COLUMBIA, THE STATE, OR THE**
23 **COMMONWEALTH OF VIRGINIA.**

24 **14-402.**

25 **(A) THERE IS AN INTERSTATE COMPACT ON WASHINGTON AREA**
26 **PROFESSIONAL FOOTBALL TEAM FRANCHISE FACILITY INCENTIVES.**

27 **(B) ON OR AFTER OCTOBER 1, 2017, A PARTY STATE TO THE COMPACT, A**
28 **LOCAL JURISDICTION LOCATED IN A PARTY STATE, OR AN AUTHORITY OR A**
29 **CORPORATION ESTABLISHED BY A PARTY STATE OR LOCAL JURISDICTION MAY NOT:**

1 **(1) PROVIDE OR OFFER TO PROVIDE FINANCING OR PUBLIC**
2 **INCENTIVES FOR THE CONSTRUCTION OF FACILITIES FOR THE WASHINGTON AREA**
3 **PROFESSIONAL FOOTBALL TEAM UNLESS THE FINANCING OR PUBLIC INCENTIVES**
4 **ARE OTHERWISE AVAILABLE TO ALL DEVELOPMENT PROJECTS OR BUSINESS**
5 **ENTITIES LOCATED IN THE PARTY STATE;**

6 **(2) UTILIZE PUBLIC FUNDS FOR THE CONSTRUCTION OR**
7 **MAINTENANCE OF FACILITIES FOR THE WASHINGTON AREA PROFESSIONAL**
8 **FOOTBALL TEAM;**

9 **(3) UTILIZE PUBLIC FUNDS FOR INFRASTRUCTURE IMPROVEMENTS**
10 **REQUIRED BY NEWLY CONSTRUCTED FACILITIES FOR THE WASHINGTON**
11 **PROFESSIONAL FOOTBALL TEAM; OR**

12 **(4) LEASE OR DONATE LAND TO THE WASHINGTON AREA**
13 **PROFESSIONAL FOOTBALL TEAM OR AN ENTITY AFFILIATED WITH THE**
14 **WASHINGTON AREA PROFESSIONAL FOOTBALL TEAM.**

15 **(C) A PARTY STATE MAY WITHDRAW FROM THE COMPACT ONLY AFTER**
16 **PROVIDING 365 DAYS' NOTICE TO THE OTHER PARTY STATES.**

17 **(D) A PARTY STATE IS NOT REQUIRED TO COMPLY WITH THIS COMPACT IF**
18 **THE PARTY STATE'S ATTORNEY GENERAL DETERMINES THAT ANOTHER PARTY**
19 **STATE HAS REPEALED, REPLACED, OR FAILED TO IMPLEMENT ANY ASPECT OF THIS**
20 **COMPACT.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That:

22 (a) This Act may not take effect unless a similar act is enacted by Virginia and
23 the District of Columbia no later than January 1, 2018.

24 (b) Virginia and the District of Columbia are requested to concur in this Act by
25 enactment of a similar act before January 1, 2018.

26 (c) The Department of Legislative Services shall notify the appropriate officials
27 of Virginia and the District of Columbia of the enactment of this Act.

28 (d) On the concurrence in this Act by Virginia and the District of Columbia as
29 specified in this section, the Governor of the State of Maryland shall issue a proclamation
30 declaring this Act valid and effective and shall forward a copy of the proclamation to the
31 Executive Director of the Department of Legislative Services.

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1 (e) If Virginia or the District of Columbia fails to concur in this Act as specified
2 in this section before January 1, 2020, with no further action required by the General
3 Assembly, this Act shall be null and void and of no further force and effect.

4 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of
5 Section 2 of this Act, this Act shall take effect October 1, 2017.