

# SENATE BILL 389

Q2

7lr2414  
CF HB 302

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By: **Senator Hershey**

Introduced and read first time: January 26, 2017

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Kent County – Property Tax Credit – Commerce Zones**

3 FOR the purpose of authorizing a certain property tax credit for certain business entities  
4 that obtain certain new or expanded premises in a certain commerce zone in Kent  
5 County; providing for the amount and duration of the property tax credit;  
6 authorizing the governing body of Kent County to provide, by law, for certain matters  
7 relating to the tax credit; defining certain terms; providing for the application of this  
8 Act; and generally relating to a property tax credit in Kent County for real property  
9 located in certain commerce zones.

10 BY adding to

11 Article – Tax – Property

12 Section 9–316

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2016 Supplement)

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

17 **Article – Tax – Property**

18 **9–316.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21 **(2) “COMMERCE ZONE” MEANS A PRIORITY FUNDING AREA IN KENT**  
22 **COUNTY DESIGNATED BY THE GOVERNING BODY OF KENT COUNTY AS A COMMERCE**  
23 **ZONE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) “NEW OR EXPANDED PREMISES” MEANS COMMERCIAL OR**  
2 **INDUSTRIAL REAL PROPERTY, INCLUDING A BUILDING OR PART OF A BUILDING**  
3 **THAT HAS NOT BEEN PREVIOUSLY OCCUPIED, WHERE A BUSINESS ENTITY LOCATES**  
4 **TO CONDUCT BUSINESS.**

5           **(B) THE GOVERNING BODY OF KENT COUNTY MAY GRANT, BY LAW, A**  
6 **PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY PROPERTY TAX**  
7 **IMPOSED ON REAL PROPERTY OWNED BY A BUSINESS ENTITY THAT MEETS THE**  
8 **REQUIREMENTS SPECIFIED UNDER THIS SECTION.**

9           **(C) TO QUALIFY FOR A PROPERTY TAX CREDIT UNDER THIS SECTION, A**  
10 **BUSINESS ENTITY SHALL OBTAIN NEW OR EXPANDED PREMISES IN A COMMERCE**  
11 **ZONE BY PURCHASING NEWLY CONSTRUCTED PREMISES, CONSTRUCTING NEW**  
12 **PREMISES, OR CAUSING NEW PREMISES TO BE CONSTRUCTED.**

13           **(D) IF A BUSINESS ENTITY MEETS THE REQUIREMENTS UNDER SUBSECTION**  
14 **(C) OF THIS SECTION, THE PROPERTY TAX CREDIT GRANTED UNDER THIS SECTION**  
15 **SHALL EQUAL A PERCENTAGE OF THE AMOUNT OF COUNTY PROPERTY TAX IMPOSED**  
16 **ON THE ASSESSMENT OF THE NEW OR EXPANDED PREMISES, AS FOLLOWS:**

17           **(1) 50% FOR EACH OF THE FIRST 5 TAXABLE YEARS;**

18           **(2) 25% IN TAXABLE YEARS 6 AND 7;**

19           **(3) 15% IN TAXABLE YEARS 8 THROUGH 10; AND**

20           **(4) 0% FOR EACH TAXABLE YEAR THEREAFTER.**

21           **(E) THE GOVERNING BODY OF KENT COUNTY MAY PROVIDE, BY LAW, FOR:**

22           **(1) THE SPECIFIC ELIGIBILITY REQUIREMENTS FOR THE TAX CREDIT**  
23 **AUTHORIZED UNDER THIS SECTION;**

24           **(2) ANY ADDITIONAL LIMITATIONS ON ELIGIBILITY FOR THE CREDIT;**  
25 **AND**

26           **(3) ANY OTHER PROVISION NECESSARY TO IMPLEMENT THE CREDIT.**

27           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**  
28 **1, 2017, and shall be applicable to all taxable years beginning after June 30, 2017.**