

HOUSE BILL 443

Unofficial Copy  
Q1

1999 Regular Session  
9lr2153  
CF 9lr2154

---

By: **Delegates Walkup, W. Baker, and Guns**  
Introduced and read first time: February 10, 1999  
Assigned to: Ways and Means

---

Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 22, 1999

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **~~Kent County~~ - Property Tax Credit - Businesses That Create New Jobs**

3 FOR the purpose of altering, for the purpose of qualifying for a certain property tax  
4 credit ~~in Kent County~~, the number of individuals employed by certain  
5 businesses in certain new permanent full-time positions; and generally relating  
6 to a property tax credit for businesses that create new jobs ~~in Kent County~~.

7 ~~BY repealing and reenacting, without amendments,~~  
8 ~~Article - Tax - Property~~  
9 ~~Section 9-230(b)~~  
10 ~~Annotated Code of Maryland~~  
11 ~~(1994 Replacement Volume and 1998 Supplement)~~

12 BY repealing and reenacting, with amendments,  
13 Article - Tax - Property  
14 Section ~~9-230(e)~~ 9-230(b) and (c)  
15 Annotated Code of Maryland  
16 (1994 Replacement Volume and 1998 Supplement)

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

1

**Article - Tax - Property**

2 9-230.

3 (b) (1) The Mayor and City Council of Baltimore City or the governing body  
 4 of a county or of a municipal corporation may grant, by law, a property tax credit  
 5 against the county or municipal corporation property tax imposed on real property  
 6 owned or leased by a business entity that meets the requirements specified under  
 7 subsection (c)(1) and ~~(2)~~ (3) of this section and on personal property owned by that  
 8 business entity that meets the requirements specified under subsection (d) of this  
 9 section.

10 (2) If a property tax credit is granted under paragraph (1) of this  
 11 subsection, a business entity that meets the requirements specified under subsection  
 12 (c)~~(3)~~ (2) AND (4) of this section may claim a State tax credit against the individual or  
 13 corporate income tax, insurance premiums tax, financial institution franchise tax, or  
 14 public service company franchise tax as provided under subsection (f) of this section.

15 (c) (1) TO QUALIFY FOR A CREDIT UNDER SUBSECTION (B)(1) OF THIS  
 16 SECTION, A BUSINESS ENTITY SHALL:

17 (I) CONSTRUCT OR EXPAND BY AT LEAST 5,000 SQUARE FEET THE  
 18 PREMISES ON WHICH IT CONDUCTS ITS BUSINESS, THROUGH PURCHASING OR  
 19 CONSTRUCTING NEW PREMISES OR BY LEASING NEW PREMISES; AND

20 (II) EMPLOY AT LEAST 10 INDIVIDUALS IN NEW PERMANENT  
 21 FULL-TIME POSITIONS IN THE NEW OR EXPANDED PREMISES.

22 (2) To qualify for a tax credit under ~~this section~~ SUBSECTION (B)(2) OF  
 23 THIS SECTION, a business entity shall:

24 (i) construct or expand by at least 5,000 square feet the premises  
 25 on which it conducts its business, through purchasing or constructing new premises  
 26 or by leasing new premises; and

27 (ii) ~~1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS SUBPARAGRAPH,~~  
 28 employ at least 25 individuals in new permanent full-time positions in the new or  
 29 expanded premises; ~~OR,~~

30 ~~2. IN KENT COUNTY, EMPLOY AT LEAST 10 INDIVIDUALS IN~~  
 31 ~~NEW PERMANENT FULL-TIME POSITIONS IN THE NEW OR EXPANDED PREMISES.~~

32 ~~(2)~~ (3) A tax credit may not be granted under this section if:

33 (i) the business entity has moved its operations from one political  
 34 subdivision in the State to another;

35 (ii) the new or expanded premises has otherwise been granted a tax  
 36 credit or exemption under this article for the taxable year; or

1 (iii) the business entity has been certified for a tax credit under  
2 Article 83A, § 5-1102 of the Code.

3 ~~(3)~~ (4) In addition to the requirements under paragraphs ~~(1) and (2)~~ (2)  
4 AND (3) of this subsection, to qualify for a tax credit under this section, the new or  
5 expanded premises must be located in a priority funding area as designated in Title 5,  
6 Subtitle 7B of the State Finance and Procurement Article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 1999.