

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 562
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "specifying" in line 12 down through "effect;" in line 14; in line 16, after "Program;" insert "providing for the recapture of a tax credit under certain circumstances;"; and in line 17, strike "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 3, in lines 18 and 19 and in lines 33 and 34, in each instance, strike "10 YEARS FROM THE EFFECTIVE DATE OF THIS SUBTITLE" and substitute "UNTIL SEPTEMBER 30, 2010".

AMENDMENT NO. 3

On page 4, in line 6, strike "INDICATING THE FACILITY'S INTENT"; and after line 7, insert:

"(4) THE DEPARTMENT IS NOT REQUIRED TO ACT ON AN APPLICATION THAT IS RECEIVED WHEN A DROUGHT EMERGENCY IS IN EFFECT IN THE AREA IN WHICH THE CAR WASH IS LOCATED."

AMENDMENT NO. 4

On page 4, in lines 9 and 11, strike "\$50" and "\$25", respectively, and substitute "\$60" and "\$35", respectively; in line 10, after "(2)" insert "FOR EACH YEAR THE FACILITY CONTINUES TO PARTICIPATE IN THE PROGRAM,"; in the same line, after "SHALL" insert ":(I)"; in lines 11 and 12, strike "FOR EACH YEAR THE FACILITY CONTINUES TO PARTICIPATE IN THE PROGRAM" and substitute ";AND

(II) PROVIDE DOCUMENTATION TO THE DEPARTMENT THAT

(Over)

THE FACILITY HAS COMPLIED WITH THE APPLICABLE PROVISIONS OF § 5-1402(B), (C), AND (D) OF THIS SUBTITLE AND SUBSECTION (C) OF THIS SECTION”;

and in line 23, strike “DURING AN INSPECTION”.

AMENDMENT NO. 5

On page 4, strike beginning with “A” in line 13 down through “(D)” in line 16.

AMENDMENT NO. 6

On page 4, in line 29, after “CIRCUMSTANCES;” insert “AND”; and strike beginning with “; AND” in line 31 down through “REPAIRED” in line 33; and after line 33, insert:

“(C) IF THE DEPARTMENT DISCOVERS THAT AN OWNER OR OPERATOR OF A CERTIFIED FACILITY HAS WILLFULLY FAILED TO COMPLY WITH § 5-1402(D)(2) OR (E)(3) OF THIS SUBTITLE, ANY TAX CREDIT RECEIVED UNDER § 10-718 OF THE TAX - GENERAL ARTICLE SHALL BE RECAPTURED AS PROVIDED FOR IN THAT SECTION.”.

On page 7, after line 26, insert:

“(F) FOR ANY TAXABLE YEAR, IF THE OWNER OR OPERATOR OF A CERTIFIED CAR WASH FACILITY WILLFULLY FAILS TO COMPLY WITH § 5-1402(D)(2) OR (E)(3) OF THE ENVIRONMENT ARTICLE, THE TAX CREDIT PREVIOUSLY ALLOWED UNDER THIS SECTION SHALL BE RECAPTURED.”;

in line 27, strike “(F)” and substitute “(G)”; and strike beginning with “It” in line 34 down through “effect.” in line 36.

AMENDMENT NO. 7

On page 6, in line 23, strike “REGULATIONS” and substitute “RESTRICTIONS”; and in line 34, after “SECTION,” insert “THE OWNER OF”.