Unofficial Copy M3 2000 Regular Session 0lr0109

By: Chairman, Environmental Matters Committee (Departmental - Dept. **Business & Economic Dev.)** Introduced and read first time: January 31, 2000 Assigned to: Environmental Matters A BILL ENTITLED 1 AN ACT concerning 2 **Business and Economic Development - Brownfields Revitalization Incentive** 3 **Program** 4 FOR the purpose of altering certain definitions relating to the Brownfields Revitalization Incentive Program in the Department of Business and Economic 5 Development; expanding the purpose of the Program; providing for the 6 7 eligibility for financial incentives under the Program; authorizing grants for environmental assessments under certain conditions; and generally relating to 8 the Brownfields Revitalization Incentive Program. 9 10 BY repealing and reenacting, with amendments, Article 83A - Department of Business and Economic Development 11 Section 3-901, 3-902(b), and 3-903(c) 12 Annotated Code of Maryland 13 14 (1998 Replacement Volume and 1999 Supplement) 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 16 MARYLAND, That the Laws of Maryland read as follows: 17 Article 83A - Department of Business and Economic Development 18 3-901. In this subtitle the following words have the meanings indicated. 19 (a) 20 "Brownfields site" means: (b) [(1)]21 [(i)](1) An eligible property, as defined in § 7-501 of the 22 Environment Article, that is: 23 Owned or operated BY A RESPONSIBLE PERSON WHO [1.](I) 24 HAS NOT CAUSED OR CONTRIBUTED TO THE CONTAMINATION OR by an inculpable

Located in a taxing jurisdiction that has:

25 person, as defined in § 7-501 of the Environment Article; and

[2.]

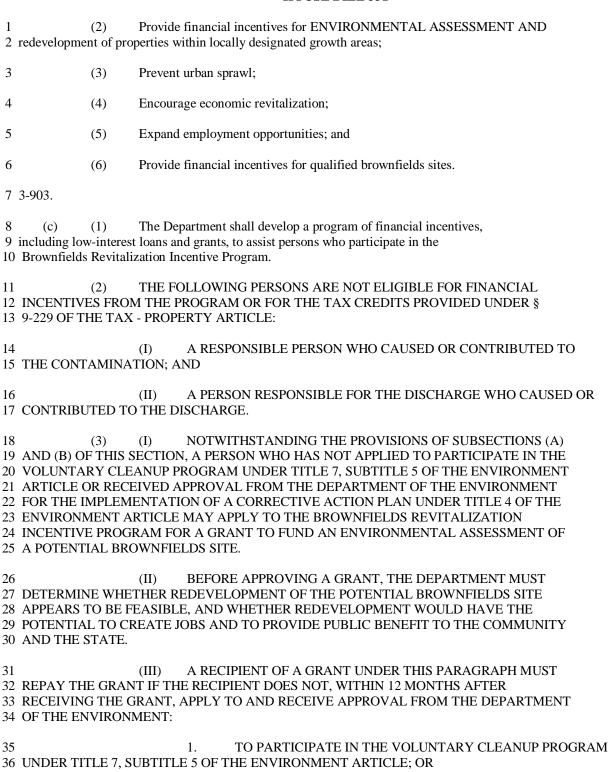
(II)

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	1. [elected] ELECTED to participate in the Brownfields Revitalization Incentive Program in accordance with § 9-229 of the Tax - Property Article; AND
6	2. SUBMITTED TO THE DEPARTMENT A LIST, UPDATED AT LEAST ANNUALLY, OF THE POTENTIAL BROWNFIELDS SITES IN THE TAXING JURISDICTION, RANKED IN THE ORDER OF PRIORITY FOR REDEVELOPMENT RECOMMENDED BY THE TAXING JURISDICTION; or
8 9	[(ii)] (2) Property where there is a release, discharge, or threatened release of oil, as defined in § 4-401 of the Environment Article, that is:
	[1.] (I) Subject to a corrective action plan approved by the Department of the Environment in accordance with Title 4 of the Environment Article; [and]
13	[2.] (II) Located in a taxing jurisdiction that has:
	1. [elected] ELECTED to participate in the Brownfields Revitalization Incentive Program in accordance with § 9-229 of the Tax - Property Article[.]; AND
19	2. SUBMITTED TO THE DEPARTMENT A LIST, UPDATED AT LEAST ANNUALLY, OF THE POTENTIAL BROWNFIELDS SITES IN THE TAXING JURISDICTION, RANKED IN THE ORDER OF PRIORITY FOR REDEVELOPMENT RECOMMENDED BY THE TAXING JURISDICTION; AND
	(III) OWNED OR OPERATED BY A PERSON RESPONSIBLE FOR THE DISCHARGE WHO HAS NOT CAUSED OR CONTRIBUTED TO THE DISCHARGE, OR BY A PERSON WHO IS NOT RESPONSIBLE FOR THE DISCHARGE.
24 25	[(2) "Brownfields site" does not include property that is owned or operated by a responsible person or a person responsible for the discharge.]
26 27	(c) "Person responsible for the discharge" has the meaning stated in § 4-401 of the Environment Article.
	(d) "Qualified brownfields site" means a Brownfields site that has been determined by the Department of Business and Economic Development to be eligible for financial incentives under § 3-903 of this subtitle.
31 32	(e) "Responsible person" has the meaning stated in § 7-201 of the Environment Article.
33	3-902.
34	(b) The purpose of the Brownfields Revitalization Incentive Program is to:
35 36	(1) Provide financial incentives for ENVIRONMENTAL ASSESSMENT AND redevelopment of properties previously used for commercial or industrial purposes;

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- 1 2. FOR THE IMPLEMENTATION OF A CORRECTIVE ACTION 2 PLAN UNDER TITLE 4 OF THE ENVIRONMENT ARTICLE.
- 3 (IV) ELIGIBILITY FOR A GRANT UNDER THIS PARAGRAPH DOES NOT
- $4\,$ CONSTITUTE ELIGIBILITY FOR THE TAX CREDITS PROVIDED UNDER \S 9-229 OF THE
- 5 TAX PROPERTY ARTICLE.
- 6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 7 effect July 1, 2000.