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By: **Chairman, Rules and Executive Nominations Committee**

**(Departmental - Stadium Authority)**

Introduced and read first time: February 18, 2000

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development - Maryland Stadium Authority - Hippodrome**  
3 **Performing Arts Center**

4 FOR the purpose of authorizing the Maryland Stadium Authority to provide for the  
5 development and construction of the Hippodrome Performing Arts Center in  
6 Baltimore City; altering the Authority's powers; providing that certain lease  
7 payments to the Authority appropriated by the State for certain facilities be  
8 maintained in certain funds; authorizing the Authority to exercise certain  
9 general corporate powers to become a member of a certain limited liability  
10 company; placing certain restrictions on the issuance of certain bonds by the  
11 Authority; prohibiting the Authority from closing on the sale of certain bonds or  
12 otherwise borrowing money in excess of a certain amount with respect to the  
13 Hippodrome Performing Arts Center facility unless the Authority has secured  
14 certain written agreements with the University System of Maryland and an  
15 Authority affiliate and certain agreements for payments to fund the capital  
16 costs of construction of the Hippodrome Performing Arts Center facility;  
17 requiring the Authority, in cooperation with the Office of the Comptroller and  
18 the Department of Budget and Management, to submit an annual report on the  
19 additional tax revenues generated by the Hippodrome Performing Arts Center  
20 facility; providing for certain income, premium, franchise, property, and  
21 recordation and transfer tax consequences of holding an interest in the  
22 Hippodrome Performing Arts Center facility; providing for the effective date of  
23 this Act; and generally relating to the authority of the Maryland Stadium  
24 Authority to provide for the development and construction of the Hippodrome  
25 Performing Arts Center facility.

26 BY repealing and reenacting, without amendments,  
27 Article - Financial Institutions  
28 Section 13-701(a)  
29 Annotated Code of Maryland  
30 (1998 Replacement Volume and 1999 Supplement)

31 BY repealing and reenacting, with amendments,  
32 Article - Financial Institutions

1 Section 13-701(s), 13-708(a)(7), (17), and (18), 13-711(d)(3) and (e),  
2 13-712(a)(1)(i), 13-712.1(1), (6)(iii)2.C., and (7)(v) and (vi), 13-717.2, and  
3 13-719(8) and (9)  
4 Annotated Code of Maryland  
5 (1998 Replacement Volume and 1999 Supplement)

6 BY adding to  
7 Article - Financial Institutions  
8 Section 13-701(t), 13-708(a)(17) and (18), 13-712(a)(1)(vi), 13-712.1(8), and  
9 13-719(10)  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 1999 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Insurance  
14 Section 6-105.2  
15 Annotated Code of Maryland  
16 (1997 Volume and 1999 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article - Tax - General  
19 Section 8-208.1, 8-406.1, 10-308(b), and 10-704.5  
20 Annotated Code of Maryland  
21 (1997 Replacement Volume and 1999 Supplement)

22 BY adding to  
23 Article - Tax - General  
24 Section 10-208(o)  
25 Annotated Code of Maryland  
26 (1997 Replacement Volume and 1999 Supplement)

27 BY adding to  
28 Article - Tax - Property  
29 Section 12-108(aa), 13-207(a)(20), and 13-403.1  
30 Annotated Code of Maryland  
31 (1994 Replacement Volume and 1999 Supplement)

32 BY repealing and reenacting, with amendments,  
33 Article - Tax - Property  
34 Section 13-207(a)(18) and (19)  
35 Annotated Code of Maryland  
36 (1994 Replacement Volume and 1999 Supplement)

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

3 **Article - Financial Institutions**

4 13-701.

5 (a) In this subtitle the following words have the meanings indicated.

6 (s) "Hippodrome Performing Arts Center site" means a site in Baltimore City  
7 that includes the properties known as:

8 (1) The Eutaw Building, 400-410 West Baltimore Street, described in  
9 the Baltimore City Land Records [as Ward 4, Section 8, Block 631, Lot 18] IN LIBER  
10 S.E.B. 4934, FOLIO 1;

11 (2) [(i)] The Baltimore Grand, 401 West Fayette Street, [described in  
12 the Baltimore City Land Records as Ward 4, Section 8, Block 631, Lot 13; and] ALSO  
13 KNOWN AS THE

14 [(ii) The unit known as the] Catering Unit of the GASLAMP SQUARE  
15 Condominium [Regime], DESCRIBED IN CONDOMINIUM DECLARATION recorded in  
16 the Baltimore City Land Records at Liber S.E.B. 2558, Folio 513, and [as described]  
17 IN DEEDS RECORDED at Liber S.E.B. [494] 1494, Folio 471, Liber S.E.B. 1494, Folio  
18 475, and Liber S.E.B. 1789, Folio 574;

19 (3) The Hippodrome Theatre, 12 North Eutaw Street, described in the  
20 Baltimore City Land Records [as Ward 4, Section 8, Block 631, Lot 17; and] IN LIBER  
21 S.E.B. 6259, FOLIO 38;

22 (4) Two vacant lots, 412 and 414 West Baltimore Street, described in the  
23 Baltimore City Land Records [as Ward 4, Section 8, Block 631, Lots 1 and 2; ] IN  
24 LIBER R.H.B. 3374, FOLIO 225; AND

25 (5) 416 WEST BALTIMORE STREET, DESCRIBED IN THE BALTIMORE CITY  
26 LAND RECORDS IN LIBER J.F.C. 960, FOLIO 199.

27 (T) "AUTHORITY AFFILIATE" MEANS ANY CORPORATION, PARTNERSHIP,  
28 LIMITED LIABILITY COMPANY OR OTHER ENTITY, WHETHER ORGANIZED ON A FOR  
29 PROFIT OR NOT FOR PROFIT BASIS, IF THE AUTHORITY DIRECTLY OR INDIRECTLY  
30 OWNS ANY OUTSTANDING SHARES OF CAPITAL STOCK, PARTNERSHIP INTERESTS,  
31 MEMBERSHIP INTERESTS, OR OTHER EQUITY INTERESTS OF SUCH ENTITY.

32 13-708.

33 (a) In addition to the powers set forth elsewhere in this subtitle, the Authority  
34 may:

35 (7) Review and make recommendations on proposed convention center  
36 facilities AND THE HIPPODROME PERFORMING ARTS CENTER FACILITY, including the

1 expansion and enhancement of the Baltimore City Convention Center and the Ocean  
2 City Convention Center and the development and construction of the Montgomery  
3 County Conference Center AND THE HIPPODROME PERFORMING ARTS CENTER, with  
4 respect to location, purpose, design, function, capacity, parking, costs, funding  
5 mechanisms, and revenue alternatives, with specific recommendations on:

- 6 (i) The level of support from the private sector;
- 7 (ii) The type of support from the private sector;
- 8 (iii) Special taxing sources;
- 9 (iv) Projected revenues;
- 10 (v) Bonding authority and the source of debt service; and
- 11 (vi) The fiscal impact on the State of any alternatives;

12 (17) WITH RESPECT TO SITE ACQUISITION, CONSTRUCTION, AND  
13 DEVELOPMENT OF THE HIPPODROME PERFORMING ARTS CENTER FACILITY,  
14 ESTABLISH AND PARTICIPATE IN AUTHORITY AFFILIATES;

15 (18) WITH RESPECT TO SITE ACQUISITION, CONSTRUCTION, AND  
16 DEVELOPMENT OF THE HIPPODROME PERFORMING ARTS CENTER FACILITY,  
17 TRANSFER, OR PERMIT ANY AUTHORITY AFFILIATE TO TRANSFER, TO ANY  
18 INDIVIDUAL OR ENTITY (A "TRANSFeree") THE FULL AMOUNT OF ANY STATE OR  
19 LOCAL TAX CREDIT TO WHICH THE AUTHORITY OR AUTHORITY AFFILIATE WOULD  
20 BE ENTITLED IF IT WERE SUBJECT TO THE TAX AGAINST WHICH THE CREDIT IS  
21 ALLOWED;

22 [(17)] (19) Impose the admissions and amusement tax authorized under  
23 § 4-102 of the Tax - General Article; and

24 [(18)] (20) Do all things necessary or convenient to carry out the powers  
25 granted by this subtitle.

26 13-711.

27 (d) (3) Lease payments to the Maryland Stadium Authority appropriated by  
28 the State of Maryland shall be transferred to:

29 (i) If appropriated for a sports facility or other facility at Camden  
30 Yards, the Maryland Stadium Authority Financing Fund;

31 (ii) If appropriated for a Baltimore Convention Center facility, the  
32 Baltimore Convention Center Fund;

33 (iii) If appropriated for an Ocean City Convention Center facility,  
34 the Ocean City Convention Center Fund; [or]

1 (iv) If appropriated for a Montgomery County Conference Center  
2 facility, the Montgomery County Conference Center Fund; OR

3 (V) IF APPROPRIATED FOR A HIPPODROME PERFORMING ARTS  
4 CENTER FACILITY, THE HIPPODROME PERFORMING ARTS CENTER FINANCING FUND.

5 (e) For any acquisition of real or personal property, or interest in property  
6 other than the Camden Yards site, Baltimore Convention Center site, Ocean City  
7 Convention Center site, or Hippodrome Performing Arts Center site, in any county  
8 where planning, zoning, and development regulations have legal status, the Authority  
9 AND ANY AUTHORITY AFFILIATE shall comply with and is subject to those regulations  
10 to the same extent as a private commercial or industrial enterprise.

11 13-712.

12 (a) (1) (i) Subject to the prior approval of the Board of Public Works and  
13 the provisions of subparagraphs (ii), (iii), (iv), [and] (v), AND (VI) of this paragraph,  
14 the Authority may at any time and from time to time issue bonds for any corporate  
15 purpose, including the establishment of reserves and the payment of interest. In this  
16 subtitle the term "bonds" includes notes of any kind, interim certificates, refunding  
17 bonds, or any other evidence of obligation and "tax supported debt" of the State has  
18 the meaning assigned to such term in § 8-104 of the State Finance and Procurement  
19 Article.

20 (VI) UNLESS AUTHORIZED BY THE GENERAL ASSEMBLY, THE  
21 BOARD OF PUBLIC WORKS MAY NOT GIVE APPROVAL TO AN ISSUANCE BY THE  
22 AUTHORITY OF BONDS THAT CONSTITUTE TAX SUPPORTED DEBT OF THE STATE FOR  
23 THE HIPPODROME PERFORMING ARTS CENTER FACILITY IF, AFTER ISSUANCE,  
24 THERE WOULD BE OUTSTANDING AND UNPAID MORE THAN \$12,000,000 FACE  
25 AMOUNT OF SUCH BONDS, WHETHER TAXABLE OR TAX EXEMPT, FOR THE PURPOSE  
26 OF FINANCING ACQUISITION, CONSTRUCTION, AND RELATED EXPENSES FOR  
27 CONSTRUCTION MANAGEMENT, PROFESSIONAL FEES, AND CONTINGENCIES OF THE  
28 HIPPODROME PERFORMING ARTS CENTER FACILITY.

29 13-712.1.

30 The Authority may not close on the sale of bonds which constitute tax supported  
31 debt of the State, and may not otherwise borrow money in amounts exceeding \$35,000  
32 per year, to finance any segment of a facility unless the Authority:

33 (1) Has certified to the Legislative Policy Committee and the Board of  
34 Public Works that the Authority has endeavored to maximize private investment in  
35 the sports facility OR IN THE HIPPODROME PERFORMING ARTS CENTER FACILITY  
36 proposed to be financed and, with respect to a baseball or football stadium, to  
37 maximize the State's ability to assure that the professional baseball and football  
38 franchises will remain permanently in Maryland. This certification shall be  
39 supported by a detailed report outlining these efforts;

40 (6) With respect to site acquisition and construction of an Ocean City  
41 Convention Center facility, has secured, as approved by the Board of Public Works:

(iii) A written agreement with Ocean City:

2. That includes provisions that:

C. Provide for remedies upon default which include the right of the Authority, in the event of a material default by Ocean City which has not been corrected after a reasonable notice and cure period, to immediately assume responsibility for maintenance and repairs of the Ocean City Convention Center facility and offset the costs of such maintenance and repairs against other amounts owed by the Authority to Ocean City, whether under the operating agreement with Ocean City or otherwise; [and]

(7) With respect to site acquisition and construction of the Montgomery County Conference Center facility, has secured, as approved by the Board of Public Works:

(v) An agreement between Montgomery County and the Authority that may allow for the establishment of a board of directors to manage the Montgomery County Conference Center, that provides that the board of directors may include representatives of the Authority, Montgomery County, the private developer, and the community, and that provides that unless action is taken to create a joint venture, corporation, or other legal entity, the board of directors is not a separate legal entity; [and]

(vi) An agreement among Montgomery County, the Authority, and a private developer for the acquisition, construction, and operation of a hotel adjacent to the Montgomery County Conference Center and providing for a capital commitment from such developer for such hotel and, as appropriate, shared facilities; AND

(8) WITH RESPECT TO SITE ACQUISITION AND CONSTRUCTION OF THE HIPPODROME PERFORMING ARTS CENTER FACILITY, HAS SECURED, AS APPROVED BY THE BOARD OF PUBLIC WORKS:

(I) ONE OR MORE WRITTEN AGREEMENTS ESTABLISHING COMMITMENTS FOR PAYMENTS TO THE AUTHORITY OF AMOUNTS WHICH SHALL BE USED BY THE AUTHORITY TO FUND THE \$53,000,000 OF TOTAL CAPITAL COSTS OF CONSTRUCTION OF THE HIPPODROME PERFORMING ARTS CENTER FACILITY AND PURSUANT TO WHICH:

1. BALTIMORE CITY AGREES TO PAY \$6,000,000, \$2,000,000 OF WHICH SHALL BE DEPOSITED TO THE HIPPODROME PERFORMING ARTS CENTER FINANCING FUND BY JULY 1, 2000, AND \$4,000,000 OF WHICH EITHER SHALL BE DEPOSITED TO THE HIPPODROME PERFORMING ARTS CENTER FINANCING FUND BY NOT LATER THAN THE DATE OF THE AUTHORITY'S BOND ISSUANCE AS AUTHORIZED UNDER § 13-712(A)(1) OF THIS SUBTITLE OR WHICH SHALL BE DEPOSITED TO THE HIPPODROME PERFORMING ARTS CENTER FINANCING FUND IN \$2,000,000 INCREMENTS IN EACH OF THE NEXT 2 SUCCEEDING YEARS FROM THE PROCEEDS OF BOND ISSUANCES WHICH SHALL HAVE RECEIVED VOTER APPROVAL BY NOT LATER

1 THAN THE DATE OF THE AUTHORITY'S BOND ISSUANCE AS AUTHORIZED UNDER §  
2 13-712(A)(1) OF THIS SUBTITLE;

3                                   2.       THE STATE OF MARYLAND HAS DEPOSITED TO THE  
4 HIPPODROME PERFORMING ARTS CENTER FINANCING FUND, AN AGGREGATE  
5 AMOUNT OF \$15,000,000;

6                                   3.       THE AUTHORITY AGREES TO ISSUE BONDS AS  
7 AUTHORIZED UNDER § 13-712(A)(1) OF THIS SUBTITLE AND TO USE \$10,000,000 OF THE  
8 PROCEEDS FROM THE SALE OF SUCH BONDS IN THE MANNER AND FOR THE  
9 PURPOSES DESCRIBED IN THIS SUBSECTION; AND

10                                  4.       ONE OR MORE PRIVATE ENTITIES, WHICH MAY INCLUDE  
11 AN AUTHORITY AFFILIATE ("PRIVATE FUNDING SOURCES");

12                                  A.       DEPOSIT TO THE HIPPODROME PERFORMING ARTS  
13 CENTER FINANCING FUND, NOT LATER THAN THE DATE OF THE AUTHORITY'S BOND  
14 ISSUANCE AS AUTHORIZED UNDER § 13-712(A)(1) OF THIS SUBTITLE, AT LEAST  
15 \$8,000,000, AND AGREE, NOT LATER THAN THE DATE OF THE AUTHORITY'S BOND  
16 ISSUANCE AS AUTHORIZED UNDER § 13-712(A)(1) OF THIS SUBTITLE, TO PAY AN  
17 ADDITIONAL \$14,000,000; AND

18                                  B.       AGREE, BY NOT LATER THAN THE DATE OF THE  
19 AUTHORITY'S BOND ISSUANCE AS AUTHORIZED UNDER § 13-712(A)(1) OF THIS  
20 SUBTITLE, TO PAY ALL ACTUAL CAPITAL COSTS OF CONSTRUCTION OF THE  
21 HIPPODROME PERFORMING ARTS CENTER FACILITY TO THE EXTENT SUCH COSTS  
22 ARE IN EXCESS OF \$53,000,000;

23                                  (II)     A WRITTEN AGREEMENT WITH THE UNIVERSITY SYSTEM OF  
24 MARYLAND PURSUANT TO WHICH THE UNIVERSITY SYSTEM OF MARYLAND AGREES  
25 TO TRANSFER TO THE AUTHORITY FEE TITLE TO THE PROPERTY DESCRIBED IN §  
26 13-701(S)(3) OF THIS SUBTITLE; AND

27                                  (III)    A WRITTEN AGREEMENT WITH AN AUTHORITY AFFILIATE  
28 WHEREBY THE AUTHORITY AFFILIATE AGREES:

29                                   1.       TO MARKET, PROMOTE, AND OPERATE OR CONTRACT,  
30 SUBJECT TO THE APPROVAL OF THE AUTHORITY, FOR THE MARKETING, PROMOTION,  
31 AND OPERATION OF THE HIPPODROME PERFORMING ARTS CENTER FACILITY;

32                                   2.       TO MAINTAIN AND REPAIR OR CONTRACT, SUBJECT TO  
33 THE APPROVAL OF THE AUTHORITY, FOR THE MAINTENANCE AND REPAIR OF THE  
34 HIPPODROME PERFORMING ARTS CENTER FACILITY SO AS TO KEEP THE  
35 HIPPODROME PERFORMING ARTS CENTER FACILITY IN FIRST CLASS OPERATING  
36 CONDITION;

37                                   3.       TO PAY TO THE AUTHORITY FOR THE DURATION OF ANY  
38 BONDS ISSUED AS AUTHORIZED UNDER § 13-712(A)(1) OF THIS SUBTITLE AN AMOUNT  
39 EQUAL TO \$2 PER TICKET SOLD FOR ADMISSION TO THE HIPPODROME PERFORMING  
40 ARTS CENTER FACILITY; AND

1 4. TO BE SOLELY RESPONSIBLE FOR ALL EXPENDITURES  
2 RELATING TO THE OPERATION, MAINTENANCE, AND REPAIR OF THE HIPPODROME  
3 PERFORMING ARTS CENTER FACILITY, INCLUDING NET OPERATING DEFICITS (THE  
4 AMOUNT BY WHICH EXPENDITURES EXCEED REVENUES) THAT MAY BE INCURRED.

5 13-717.2.

6 (a) (1) There is a Hippodrome Performing Arts Center Financing Fund.

7 (2) The Authority shall use the HIPPODROME PERFORMING ARTS  
8 CENTER FINANCING Fund as a nonlapsing, revolving fund for carrying out the  
9 provisions of this subtitle concerning the Hippodrome Performing Arts Center facility.

10 (b) The HIPPODROME PERFORMING ARTS CENTER FINANCING Fund shall  
11 consist of:

12 (1) Funds appropriated for deposit to the HIPPODROME PERFORMING  
13 ARTS CENTER FINANCING Fund;

14 (2) Revenues collected or received from any source under THE  
15 PROVISIONS OF this subtitle concerning the Hippodrome Performing Arts Center  
16 facility;

17 (3) Interest or other income earned on the investment of moneys in the  
18 HIPPODROME PERFORMING ARTS CENTER FINANCING Fund; [and]

19 (4) Any additional moneys made available from any public or private  
20 source for the [purpose of] PURPOSES FOR WHICH the HIPPODROME PERFORMING  
21 ARTS CENTER FINANCING Fund[.] HAS BEEN ESTABLISHED; AND

22 (5) PROCEEDS FROM THE SALE OF BONDS RELATED TO THE  
23 HIPPODROME PERFORMING ARTS CENTER FACILITY.

24 (c) (1) The HIPPODROME PERFORMING ARTS CENTER FINANCING Fund is a  
25 continuing, nonlapsing fund that shall be available in perpetuity to implement the  
26 provisions of this subtitle concerning the Hippodrome Performing Arts Center facility.

27 (2) No part of the HIPPODROME PERFORMING ARTS CENTER FINANCING  
28 Fund may revert or be credited to the General Fund or any other special fund of the  
29 State.

30 (d) The Authority shall pay any and all expenses incurred by the Authority  
31 concerning the Hippodrome Performing Arts Center facility from the HIPPODROME  
32 PERFORMING ARTS CENTER FINANCING Fund.

33 (E) (1) TO THE EXTENT DEEMED APPROPRIATE BY THE AUTHORITY, THE  
34 RECEIPTS OF THE HIPPODROME PERFORMING ARTS CENTER FINANCING FUND  
35 SHALL BE PLEDGED TO AND CHARGED WITH THE PAYMENT OF DEBT SERVICE ON  
36 AUTHORITY BONDS FOR THE HIPPODROME PERFORMING ARTS CENTER FACILITY  
37 AND ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY



1 BORROWING AND THE MANAGEMENT OF AUTHORITY OBLIGATIONS RELATED TO THE  
2 HIPPODROME PERFORMING ARTS CENTER FACILITY.

3 (2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 13-712(C) OF  
4 THIS SUBTITLE.

5 [(e)] (F) (1) The HIPPODROME PERFORMING ARTS CENTER FINANCING  
6 Fund shall be invested and reinvested by the [State] Treasurer in the same manner  
7 as State funds.

8 (2) Any investment earnings shall be transferred to the credit of the  
9 HIPPODROME PERFORMING ARTS CENTER FINANCING Fund.

10 13-719.

11 In addition to the duties set forth elsewhere in this subtitle, the Authority shall:

12 (8) Submit annually a report prepared in cooperation with the Office of  
13 the Comptroller and the Department of Budget and Management on the additional  
14 tax revenues generated by the Ocean City Convention Center facility; [and]

15 (9) Submit annually a report prepared in cooperation with the Office of  
16 the Comptroller and the Department of Budget and Management on the additional  
17 tax revenues generated by the Montgomery County Conference Center facility; AND

18 (10) SUBMIT ANNUALLY A REPORT PREPARED IN COOPERATION WITH  
19 THE OFFICE OF THE COMPTROLLER AND THE DEPARTMENT OF BUDGET AND  
20 MANAGEMENT ON THE ADDITIONAL TAX REVENUES GENERATED BY THE  
21 HIPPODROME PERFORMING ARTS CENTER FACILITY.

## 22 **Article - Insurance**

23 6-105.2.

24 (A) A person subject to the tax imposed under this subtitle may claim a credit  
25 against the tax for a certified rehabilitation as provided under Article 83B, § 5-801 of  
26 the Code.

27 (B) IN THE CASE OF ANY CREDIT UNDER SUBSECTION (A) OF THIS SECTION  
28 THAT IS EARNED BY THE MARYLAND STADIUM AUTHORITY OR ANY AUTHORITY  
29 AFFILIATE (WITHIN THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS  
30 ARTICLE), THE FULL AMOUNT OF SUCH CREDIT THAT IS TRANSFERRED TO ANY  
31 INDIVIDUAL, CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR  
32 OTHER ENTITY (A "TRANSFeree") UNDER § 13-708(A)(18) OF THE FINANCIAL  
33 INSTITUTIONS ARTICLE SHALL BE ALLOWED AS A CREDIT AGAINST THE TAX  
34 IMPOSED UNDER THIS SUBTITLE ON THE TRANSFeree OR, IN THE CASE OF A  
35 TRANSFeree TREATED AS A PARTNERSHIP FOR INCOME TAX PURPOSES, AGAINST  
36 THE TAX IMPOSED UNDER THIS SUBTITLE UPON THE DIRECT OR INDIRECT  
37 PARTNERS, MEMBERS, OR OTHER EQUITY OWNERS OF THE TRANSFeree IN  
38 PROPORTION TO THEIR RESPECTIVE INTERESTS IN THE TRANSFeree.

**Article - Tax - General**

2 8-208.1.

3 (A) A financial institution may claim a credit against the financial institution  
4 franchise tax for a certified rehabilitation as provided under Article 83B, § 5-801 of  
5 the Code.

6 (B) IN THE CASE OF ANY CREDIT UNDER SUBSECTION (A) OF THIS SECTION  
7 THAT IS EARNED BY THE MARYLAND STADIUM AUTHORITY OR ANY AUTHORITY  
8 AFFILIATE (WITHIN THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS  
9 ARTICLE), THE FULL AMOUNT OF SUCH CREDIT THAT IS TRANSFERRED TO ANY  
10 INDIVIDUAL, CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR  
11 OTHER ENTITY (A "TRANSFeree") UNDER § 13-708(A)(18) OF THE FINANCIAL  
12 INSTITUTIONS ARTICLE SHALL BE ALLOWED AS A CREDIT AGAINST THE FINANCIAL  
13 INSTITUTION'S FRANCHISE TAX IMPOSED ON THE TRANSFeree OR, IN THE CASE OF  
14 A TRANSFeree TREATED AS A PARTNERSHIP FOR INCOME TAX PURPOSES, AGAINST  
15 THE FINANCIAL INSTITUTION'S FRANCHISE TAX IMPOSED UPON THE DIRECT OR  
16 INDIRECT PARTNERS, MEMBERS, OR OTHER EQUITY OWNERS OF THE TRANSFeree  
17 IN PROPORTION TO THEIR RESPECTIVE INTERESTS IN THE TRANSFeree.

18 8-406.1.

19 (A) A public service company may claim a credit against the public service  
20 company franchise tax for a certified rehabilitation as provided under Article 83B, §  
21 5-801 of the Code.

22 (B) IN THE CASE OF ANY CREDIT UNDER SUBSECTION (A) OF THIS SECTION  
23 THAT IS EARNED BY THE MARYLAND STADIUM AUTHORITY OR ANY AUTHORITY  
24 AFFILIATE (WITHIN THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS  
25 ARTICLE), THE FULL AMOUNT OF SUCH CREDIT THAT IS TRANSFERRED TO ANY  
26 INDIVIDUAL, CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR  
27 OTHER ENTITY (A "TRANSFeree") UNDER § 13-708(A)(18) OF THE FINANCIAL  
28 INSTITUTIONS ARTICLE SHALL BE ALLOWED AS A CREDIT AGAINST THE PUBLIC  
29 SERVICE COMPANY FRANCHISE TAX IMPOSED ON THE TRANSFeree OR, IN THE CASE  
30 OF A TRANSFeree TREATED AS A PARTNERSHIP FOR INCOME TAX PURPOSES,  
31 AGAINST THE PUBLIC SERVICE COMPANY FRANCHISE TAX IMPOSED UPON THE  
32 DIRECT OR INDIRECT PARTNERS, MEMBERS, OR OTHER EQUITY OWNERS OF THE  
33 TRANSFeree IN PROPORTION TO THEIR RESPECTIVE INTERESTS IN THE  
34 TRANSFeree.

35 10-208.

36 (O) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES  
37 ANY AMOUNT RECEIVED BY ANY AUTHORITY AFFILIATE (WITHIN THE MEANING OF §  
38 13-701(T) OF THE FINANCIAL INSTITUTIONS ARTICLE) IN CONSIDERATION OF THE  
39 TRANSFER OF THE CREDIT ALLOWED UNDER § 10-704.5(A) OF THIS TITLE IF, AND TO  
40 THE EXTENT THAT, SUCH AMOUNT IS INCLUDED IN GROSS INCOME. IN THE CASE  
41 WHERE THE AUTHORITY AFFILIATE IS AN ENTITY TREATED AS A PARTNERSHIP FOR  
42 INCOME TAX PURPOSES, THE SUBTRACTION SHALL BE A SUBTRACTION FROM THE

1 FEDERAL ADJUSTED GROSS INCOME OF THE DIRECT OR INDIRECT PARTNERS,  
2 MEMBERS, OR OTHER EQUITY OWNERS OF THE AUTHORITY AFFILIATE IN  
3 PROPORTION TO THEIR RESPECTIVE INTERESTS IN THE AUTHORITY AFFILIATE.

4 10-308.

5 (b) The subtraction under subsection (a) of this section includes the amounts  
6 allowed to be subtracted for an individual under:

7 (1) § 10-208(d) of this title (Conservation tillage equipment expenses);

8 (2) § 10-208(i) of this title (Reforestation or timber stand expenses);

9 (3) § 10-208(k) of this title (Wage expenses for targeted jobs); [and]

10 (4) § 10-208(m) of this title (Poultry or livestock manure spreading  
11 equipment)[.]; AND

12 (5) § 10-208(O) OF THIS TITLE (CERTAIN AMOUNTS RECEIVED BY  
13 MARYLAND STADIUM AUTHORITY AFFILIATES). IN THE CASE WHERE THE  
14 AUTHORITY AFFILIATE IS AN ENTITY TREATED AS A PARTNERSHIP FOR INCOME TAX  
15 PURPOSES, THE SUBTRACTION SHALL BE A SUBTRACTION FROM THE FEDERAL  
16 TAXABLE INCOME OF THE DIRECT OR INDIRECT PARTNERS, MEMBERS, OR OTHER  
17 EQUITY OWNERS OF THE AUTHORITY AFFILIATE IN PROPORTION TO THEIR  
18 RESPECTIVE INTERESTS IN THE AUTHORITY AFFILIATE.

19 10-704.5.

20 (A) An individual or corporation may claim a credit against the State income  
21 tax for a certified rehabilitation as provided under Article 83B, § 5-801 of the Code.

22 (B) IN THE CASE OF ANY CREDIT UNDER SUBSECTION (A) OF THIS SECTION  
23 THAT IS EARNED BY THE MARYLAND STADIUM AUTHORITY OR ANY AUTHORITY  
24 AFFILIATE (WITHIN THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS  
25 ARTICLE), THE FULL AMOUNT OF SUCH CREDIT THAT IS TRANSFERRED TO ANY  
26 INDIVIDUAL, CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR  
27 OTHER ENTITY (A "TRANSFeree") UNDER § 13-708(A)(18) OF THE FINANCIAL  
28 INSTITUTIONS ARTICLE SHALL BE ALLOWED AS A CREDIT AGAINST THE INCOME TAX  
29 IMPOSED ON THE TRANSFeree OR, IN THE CASE OF A TRANSFeree TREATED AS A  
30 PARTNERSHIP FOR INCOME TAX PURPOSES, AGAINST THE INCOME TAX IMPOSED  
31 UPON THE DIRECT OR INDIRECT PARTNERS, MEMBERS, OR OTHER EQUITY OWNERS  
32 OF THE TRANSFeree IN PROPORTION TO THEIR RESPECTIVE INTERESTS IN THE  
33 TRANSFeree.

34 **Article - Tax - Property**

35 12-108.

36 (AA) AN INSTRUMENT OF WRITING PURSUANT TO WHICH THE MARYLAND  
37 STADIUM AUTHORITY TRANSFERS TITLE TO, OR CREATES A LEASEHOLD INTEREST

1 IN, REAL PROPERTY IF THE TRANSFEREE OR LESSEE IS AN AUTHORITY AFFILIATE  
2 WITHIN THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS ARTICLE.

3 13-207.

4 (a) An instrument of writing is not subject to transfer tax to the same extent  
5 that it is not subject to recordation tax under:

6 (18) § 12-108(y) of this article (Transfer from predecessor entity to limited  
7 liability company); [or]

8 (19) § 12-108(z) of this article (Transfer from a Class I Railroad Carrier to  
9 its wholly-owned limited liability company); OR

10 (20) § 12-108(AA) OF THIS ARTICLE (TRANSFERS INVOLVING CERTAIN  
11 MARYLAND STADIUM AUTHORITY AFFILIATES).

12 13-403.1.

13 AN INSTRUMENT OF WRITING PURSUANT TO WHICH THE MARYLAND STADIUM  
14 AUTHORITY TRANSFERS TITLE TO, OR CREATES A LEASEHOLD INTEREST IN, REAL  
15 PROPERTY IF THE TRANSFEREE OR LESSEE IS AN AUTHORITY AFFILIATE WITHIN  
16 THE MEANING OF § 13-701(T) OF THE FINANCIAL INSTITUTIONS ARTICLE IS NOT  
17 SUBJECT TO A COUNTY TRANSFER TAX.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2000.