

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL NO. 691

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike beginning with the second “certain” in line 10 through “definitions” in line 14 and substitute “the use of the Maryland Economic Development Assistance Fund for certain purposes relating to arts and entertainment enterprises and arts and entertainment projects”; in line 17, strike “for”; and in line 22, strike “; and 5-1401(d), (e), and (f)”.

On page 2, in line 3, strike “(d) through (s)”; in the same line, after “(c),” insert “and”; in the same line, strike “; and 5-1411”; in line 8, after “4-104(e)” insert “and 10-207(v)”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 9-229(a)(3) and 14-902(a)(2)

Annotated Code of Maryland

(1994 Replacement Volume and 2000 Supplement)”.

AMENDMENT NO. 2

On page 3, in lines 27 and 28, strike “ANOTHER INDIVIDUAL” and substitute “ONE OR MORE OTHER INDIVIDUALS”.

On page 4, after line 2, insert:

“(1) QUALIFYING RESIDING ARTISTS ARE ELIGIBLE FOR THE INCOME TAX SUBTRACTION MODIFICATION UNDER §10-207(V) OF THE TAX - GENERAL ARTICLE;”;

in line 3, strike “(1)” and substitute “(2)”; in line 5, strike “(2)” and substitute “(3)”; in line 6, strike

(Over)

“§ 4-102” and substitute “§ 4-104”; in line 13, after “(D)” insert “(1)”; after line 15, insert:

“(2) THE SUBTRACTION MODIFICATION UNDER §10-207(V) OF THE TAX - GENERAL ARTICLE SHALL BE APPLICABLE TO ALL TAXABLE YEARS BEGINNING AFTER DECEMBER 31 OF THE YEAR IN WHICH THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS PROVIDED.”; in line 30, strike “ANY” and substitute “A”; in line 31, after the second “THE” insert “GOVERNING BODY OF THE”; and in line 36, strike “WHICH MAY BE” and substitute “THAT IS”.

On page 5, in line 14, strike “6” and substitute “1”; in line 15, strike “DISTRICTS IN ANY 12-MONTH PERIOD” and substitute “DISTRICT IN A COUNTY IN ANY CALENDAR YEAR”; strike lines 16 and 17 in their entirety; and in line 18, strike “(4)” and substitute “(3)”.

On page 7, in lines 20 and 21, strike “TO SPECIFY CRITERIA AND PROCEDURES FOR APPLICATION FOR AND” and substitute “THAT SPECIFY APPLICATION PROCEDURES AND CRITERIA FOR”; after line 23, insert:

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

“(b) “Animal waste technology project” means the research, development, implementation, or market development of technology that is intended to:

- (1) Reduce the amount of nutrients in animal waste;
- (2) Alter the composition of animal waste;
- (3) Develop alternative waste management strategies; or
- (4) Use animal waste in a production process.

“(c) “Aquaculture project” means a project that encourages innovation, expansion, and modernization of the seafood processing industry or the aquaculture industry.”;

and in line 25, after “ARTICLE” insert “AS AN ARTS AND ENTERTAINMENT DISTRICT”.

On page 9, in lines 17 and 18, strike “OR ASSISTANCE TO”; in line 18, after “ENTERPRISE” insert a comma; in the same line, strike “FOR”; in line 27, strike “AND TO”; and in line 28, strike “OR FOR” and substitute “, AND”.

On page 10, in line 6, after “opportunities” insert “, ARTS AND ENTERTAINMENT ENTERPRISES, OR ARTS AND ENTERTAINMENT PROJECTS”; in line 16, strike the brackets; strike beginning with the semicolon in line 19 down through “SUBTITLE” in line 22; in line 29, strike “the recipient” and substitute “:

1. THE RECIPIENT”;

in the same line, strike “OR IF” and substitute “; OR

2”;

in line 30, after “THE” insert “FINANCIAL”; and in the same line, strike the second “AN”.

On page 11, strike in their entirety lines 22 through 29, inclusive; in line 30, strike the brackets; in the same line, strike “5-1411”.

On page 12, in line 21, strike “FINANCING OF”; and strike lines 23 through 35, inclusive.

On page 13, after line 9, insert:

“10-207.

(V) (1) IN THIS SUBSECTION, “ARTISTIC WORK”, “ARTS AND ENTERTAINMENT DISTRICT”, AND “QUALIFYING RESIDING ARTIST” HAVE THE MEANINGS STATED IN ARTICLE 83A, § 4-701 OF THE CODE.

(2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF INCOME DERIVED WITHIN AN ARTS AND ENTERTAINMENT DISTRICT BY A QUALIFYING RESIDING ARTIST FROM THE PUBLICATION, PRODUCTION, OR SALE OF AN ARTISTIC WORK THAT THE ARTIST WROTE, COMPOSED, OR EXECUTED.

(3) FOR THE PURPOSE OF DETERMINING WHETHER INCOME IS

(Over)

DERIVED WITHIN AN ARTS AND ENTERTAINMENT DISTRICT FOR THE PURPOSE OF THIS SUBSECTION, A QUALIFYING RESIDING ARTIST SHALL ALLOCATE RECEIPTS AND EXPENSES AS THE COMPTROLLER MAY REQUIRE.”;

after line 30, insert:

“9-229.

(a) (3) “Qualified brownfields site” has the meaning stated in Article 83A, [§ 5-1401(o)] § 5-1401 of the Code.”.

On page 14, after line 7, insert:

“14-902.

(a) (2) “Qualified brownfields site” has the meaning stated in Article 82A, [§ 5-1401(o)] § 5-1401 of the Code.”.