

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 251

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Charles County -”; in the same line, after “Credits -” insert “Electricity Generation Facilities -”; in line 3, strike “property” and substitute “machinery and equipment”; in line 6, after “Act;” insert “defining certain terms;”; in line 8, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 10, strike “9-310(d)” and substitute “9-239”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 7 on page 2, inclusive, and substitute:

“9-239.”

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “MACHINERY AND EQUIPMENT OF A NEW ELECTRICITY GENERATION FACILITY” MEANS MACHINERY AND EQUIPMENT USED IN THE GENERATION OF ELECTRICITY AT A NEW ELECTRICITY GENERATION FACILITY.

(3) “MACHINERY AND EQUIPMENT OF AN EXISTING ELECTRICITY GENERATION FACILITY” MEANS MACHINERY AND EQUIPMENT USED IN THE GENERATION OF ELECTRICITY AND ADDED AS PART OF AN EXPANSION OF AN EXISTING ELECTRICITY GENERATION FACILITY FOR THE PURPOSE OF INCREASING ELECTRICITY PRODUCTION AT THE EXISTING ELECTRICITY GENERATION FACILITY.

(4) “NEW ELECTRICITY GENERATION FACILITY” MEANS AN

(Over)

ELECTRICITY GENERATION FACILITY THAT:

(I) LOCATES IN A COUNTY ON OR AFTER JUNE 1, 2001; AND

(II) RECEIVES A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER § 7-207 OF THE PUBLIC UTILITY COMPANIES ARTICLE.

(5) “EXISTING ELECTRICITY GENERATION FACILITY” MEANS AN ELECTRICITY GENERATION FACILITY THAT:

(I) EXISTS IN A COUNTY BEFORE JUNE 1, 2001; AND

(II) RECEIVES APPROVAL FOR A MODIFICATION UNDER § 7-205 OF THE PUBLIC UTILITY COMPANIES ARTICLE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, TO THE EXTENT THAT A COUNTY GRANTS A PERSONAL PROPERTY TAX CREDIT FOR THE MACHINERY AND EQUIPMENT OF A NEW ELECTRICITY GENERATION FACILITY OR THE MACHINERY AND EQUIPMENT OF AN EXISTING ELECTRICITY GENERATION FACILITY, THE MACHINERY AND EQUIPMENT MAY NOT BE TREATED AS TAXABLE PERSONAL PROPERTY FOR THE PURPOSE OF COMPUTING ANY PAYMENTS OF STATE AID TO EDUCATION UNDER § 5-202 OF THE EDUCATION ARTICLE OR OTHER PAYMENTS OF STATE AID TO COUNTIES OR MUNICIPAL CORPORATIONS THAT BY LAW ARE BASED ON THE ASSESSMENT OF PROPERTY.

(C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO ANY PERSONAL PROPERTY UNLESS THE COUNTY SUBMITS TO THE DEPARTMENT, ON OR BEFORE OCTOBER 31 OF THE TAXABLE YEAR FOR WHICH THE TAX CREDIT FOR THE PROPERTY IS GRANTED, THE INFORMATION REQUIRED UNDER § 9-201(B) OF THIS SUBTITLE REGARDING THE TAX CREDIT.”.

AMENDMENT NO. 3

On page 2, in line 9 after “shall” insert “be”.