

SENATE BILL 586

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2001 Regular Session
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By: ~~Senators Hoffman, Munson, and Sfikas~~ Sfikas, Currie, Lawlah, Madden,
McFadden, Ruben, and Van Hollen ~~Van Hollen, Green, and Dorman~~

Introduced and read first time: February 2, 2001

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 15, 2001

CHAPTER _____

1 AN ACT concerning

2 **Smart Growth - Arts and Entertainment Districts**

3 FOR the purpose of authorizing the Secretary of the Department of Business and
4 Economic Development to designate one or more arts and entertainment
5 districts within which certain tax benefits would apply; establishing an
6 application process for a county or municipal corporation to apply to the
7 Secretary to designate an area as an arts and entertainment district;
8 ~~establishing the Art and Entertainment Districts Fund; authorizing certain uses~~
9 ~~of the moneys in the Fund; exempting certain projects from certain procurement~~
10 ~~laws requiring the Secretary to adopt certain regulations; authorizing the use of~~
11 ~~the Maryland Economic Development Assistance Fund for certain purposes~~
12 ~~relating to arts and entertainment enterprises and arts and entertainment~~
13 ~~projects; limiting property tax credits under this Act to ten years; and generally~~
14 ~~relating to the establishment of arts and entertainment districts in which~~
15 ~~certain tax benefits would apply and to the provision of financial assistance to~~
16 ~~arts and entertainment enterprises and arts and entertainment projects.~~

17 BY adding to
18 Article 83A - Department of Business and Economic Development
19 Section 4-701 through 4-703, inclusive, to be under the new subtitle "Subtitle 7.
20 Arts and Entertainment Districts" and 5-1410
21 Annotated Code of Maryland
22 (1998 Replacement Volume and 2000 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article 83A - Department of Business and Economic Development

1 Section 5-1401, 5-1402, 5-1405(b) and (c), and 5-1410
 2 Annotated Code of Maryland
 3 (1998 Replacement Volume and 2000 Supplement)

4 BY adding to
 5 Article - Tax - General
 6 Section ~~4-104(e), 10-207(v), and 11-229~~ 4-104(e) and 10-207(v)
 7 Annotated Code of Maryland
 8 (1997 Replacement Volume and 2000 Supplement)

9 BY repealing and reenacting, with amendments,
 10 Article - Tax - Property
 11 Section 9-229(a)(3) and 14-902(a)(2)
 12 Annotated Code of Maryland
 13 (1994 Replacement Volume and 2000 Supplement)

14 BY adding to
 15 Article - Tax - Property
 16 Section 9-239
 17 Annotated Code of Maryland
 18 (1994 Replacement Volume and 2000 Supplement)

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

21 **Article 83A - Department of Business and Economic Development**

22 **SUBTITLE 7. ARTS AND ENTERTAINMENT DISTRICTS.**

23 4-701.

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

26 (2) (I) "ARTISTIC WORK" MEANS AN ORIGINAL AND CREATIVE WORK,
 27 WHETHER WRITTEN, COMPOSED, OR EXECUTED, THAT FALLS INTO ONE OF THE
 28 FOLLOWING CATEGORIES:

- 29 1. A BOOK OR OTHER WRITING;
- 30 2. A PLAY OR PERFORMANCE OF A PLAY;
- 31 3. A MUSICAL COMPOSITION OR THE PERFORMANCE OF A
 32 MUSICAL COMPOSITION;
- 33 4. A PAINTING OR OTHER PICTURE;

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

4 (2) ~~THE SALES AND USE TAX EXEMPTION UNDER § 11-229 OF THE TAX -~~
5 ~~GENERAL ARTICLE APPLIES;~~

6 ~~(3)~~ A PROPERTY TAX CREDIT UNDER § 9-239 OF THE TAX - PROPERTY
7 ARTICLE APPLIES; AND

8 ~~(4)~~ (3) AN EXEMPTION FROM THE ADMISSIONS AND AMUSEMENT TAX
9 UNDER § 4-104 OF THE TAX - GENERAL ARTICLE APPLIES.

10 (C) AN ARTS AND ENTERTAINMENT DISTRICT SHALL BE A CONTIGUOUS
11 GEOGRAPHIC AREA OF A COUNTY THAT IS:

12 (1) WHOLLY WITHIN A PRIORITY FUNDING AREA AS PROVIDED UNDER §
13 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; OR

14 (2) WHOLLY WITHIN A DESIGNATED NEIGHBORHOOD AS DEFINED
15 UNDER ARTICLE 83B, § 4-202 OF THE CODE.

16 (D) (1) THE SECRETARY SHALL GIVE THE COMPTROLLER NOTICE OF THE
17 ESTABLISHMENT OF AN ARTS AND ENTERTAINMENT DISTRICT ON OR BEFORE JULY 1
18 PRIOR TO THE EFFECTIVE DATE OF ITS ESTABLISHMENT.

19 (2) THE SUBTRACTION MODIFICATION UNDER § 10-207(V) OF THE TAX -
20 GENERAL ARTICLE SHALL BE APPLICABLE TO ALL TAXABLE YEARS BEGINNING
21 AFTER DECEMBER 31 OF THE YEAR IN WHICH THE NOTICE REQUIRED UNDER
22 PARAGRAPH (1) OF THIS SUBSECTION IS PROVIDED.

23 ~~(3) THE SALES AND USE TAX EXEMPTION UNDER § 11-229 OF THE TAX -~~
24 ~~GENERAL ARTICLE SHALL TAKE EFFECT THE FIRST JANUARY 1 AFTER THE NOTICE~~
25 ~~UNDER PARAGRAPH (1) OF THIS SUBSECTION IS PROVIDED.~~

26 4-702.

27 (A) A COUNTY OR MUNICIPAL CORPORATION MAY APPLY TO THE SECRETARY
28 FOR DESIGNATION OF AN AREA WITHIN THAT POLITICAL SUBDIVISION AS AN ARTS
29 AND ENTERTAINMENT DISTRICT, BUT IF A COUNTY SEEKS TO DESIGNATE AN AREA
30 WITHIN A MUNICIPAL CORPORATION AS AN ARTS AND ENTERTAINMENT DISTRICT,
31 THEN THE GOVERNING BODY OF THE MUNICIPAL CORPORATION MUST FIRST
32 CONSENT.

33 (B) A COUNTY MAY APPLY TO THE SECRETARY ON BEHALF OF A MUNICIPAL
34 CORPORATION, WITH THE CONSENT OF THE GOVERNING BODY OF THE MUNICIPAL
35 CORPORATION, FOR DESIGNATION OF ANY AREA WITHIN THAT MUNICIPAL
36 CORPORATION AS AN ARTS AND ENTERTAINMENT DISTRICT.

1 (C) TWO OR MORE POLITICAL SUBDIVISIONS MAY APPLY JOINTLY TO THE
2 SECRETARY FOR DESIGNATION OF AN AREA AS AN ARTS AND ENTERTAINMENT
3 DISTRICT THAT IS LOCATED ASTRIDE THEIR COMMON BOUNDARIES.

4 (D) THE APPLICATION SHALL BE IN THE FORM AND MANNER AND CONTAIN
5 SUCH INFORMATION AS THE SECRETARY MAY, BY REGULATION, DETERMINE,
6 PROVIDED THAT THE APPLICATION SHALL:

7 (1) CONTAIN INFORMATION SUFFICIENT FOR THE SECRETARY TO
8 DETERMINE IF THE CRITERIA ESTABLISHED IN §§ 4-701(A)(3) AND (C) OF THIS
9 SUBTITLE HAVE BEEN MET; AND

10 (2) BE SUBMITTED ON BEHALF OF THE POLITICAL SUBDIVISION BY ITS
11 CHIEF ELECTED OFFICER, OR, IF NONE, BY THE GOVERNING BODY OF THE POLITICAL
12 SUBDIVISION.

13 (E) (1) WITHIN 60 DAYS FOLLOWING ANY SUBMISSION DATE, THE
14 SECRETARY MAY DESIGNATE ONE OR MORE ARTS AND ENTERTAINMENT DISTRICTS
15 FROM AMONG THE APPLICATIONS SUBMITTED TO THE SECRETARY ON OR BEFORE
16 THAT SUBMISSION DATE.

17 (2) THE SECRETARY MAY NOT DESIGNATE MORE THAN 1 ARTS AND
18 ENTERTAINMENT DISTRICT IN A COUNTY IN ANY CALENDAR YEAR.

19 (3) THE DETERMINATION OF THE SECRETARY AS TO THE AREAS
20 DESIGNATED AS ARTS AND ENTERTAINMENT DISTRICTS SHALL BE FINAL, EXCEPT
21 THAT, FOR ANY AREA NOT DESIGNATED AN ARTS AND ENTERTAINMENT DISTRICT, A
22 POLITICAL SUBDIVISION MAY REAPPLY AT ANY TIME TO THE SECRETARY FOR
23 DESIGNATION OF THAT AREA AS AN ARTS AND ENTERTAINMENT DISTRICT.

24 (F) A POLITICAL SUBDIVISION MAY APPLY TO THE SECRETARY FOR THE
25 EXPANSION OF AN EXISTING ARTS AND ENTERTAINMENT DISTRICT IN THE SAME
26 MANNER AS THE POLITICAL SUBDIVISION WOULD APPLY FOR THE DESIGNATION OF
27 A NEW ARTS AND ENTERTAINMENT DISTRICT.

28 4-703.

29 ~~(A) (1) THERE IS AN ARTS AND ENTERTAINMENT DISTRICTS FUND IN THE~~
30 ~~DEPARTMENT.~~

31 ~~(2) THE FUND IS A NONLAPSING, REVOLVING SPECIAL FUND THAT~~
32 ~~SHALL BE MANAGED AND SUPERVISED BY THE SECRETARY.~~

33 ~~(B) THE FUND SHALL CONSIST OF ANY OF THE FOLLOWING:~~

34 ~~(1) MONEYS APPROPRIATED IN THE STATE BUDGET;~~

35 ~~(2) MONEYS MADE AVAILABLE TO THE FUND THROUGH APPROPRIATE~~
36 ~~FEDERAL PROGRAMS OR PRIVATE CONTRIBUTIONS;~~

1 (3) ~~INCOME FROM INVESTMENTS THAT THE STATE TREASURER MAKES~~
2 ~~FROM MONEYS IN THE FUND;~~

3 (4) ~~REPAYMENTS OF PRINCIPAL AND INTEREST FROM LOANS MADE~~
4 ~~FROM THE FUND;~~

5 (5) ~~PROCEEDS FROM THE SALE, DISPOSITION, LEASE OR RENTAL BY THE~~
6 ~~DEPARTMENT OF COLLATERAL RELATED TO ANY FINANCING PROVIDED BY THE~~
7 ~~DEPARTMENT UNDER THIS SUBTITLE;~~

8 (6) ~~PREMIUMS, FEES, ROYALTIES, AND REPAYMENTS OF PRINCIPAL,~~
9 ~~INTEREST AND INVESTMENT PAID TO THE DEPARTMENT BY OR ON BEHALF OF AN~~
10 ~~ARTS AND ENTERTAINMENT ENTERPRISE IN WHICH THE DEPARTMENT HAS MADE~~
11 ~~AN EQUITY INVESTMENT, OR BY OR ON BEHALF OF AN INVESTOR PROVIDING AN~~
12 ~~INVESTMENT GUARANTEED BY THE DEPARTMENT UNDER THIS SUBTITLE;~~

13 (7) ~~RECOVERY OF ANY EQUITY INVESTMENT MADE BY THE~~
14 ~~DEPARTMENT IN AN ARTS AND ENTERTAINMENT ENTERPRISE, INCLUDING ANY~~
15 ~~ARRANGEMENT UNDER WHICH THE DEPARTMENT'S INVESTMENT IN THE ARTS AND~~
16 ~~ENTERTAINMENT ENTERPRISE IS RECOVERED THROUGH:~~

17 (†) ~~A REQUIREMENT THAT THE DEPARTMENT RECEIVE A~~
18 ~~PROPORTION OF CASH FLOW, COMMISSIONS, ROYALTIES, OR PAYMENTS ON A~~
19 ~~PATENT; OR~~

20 (II) ~~THE REPURCHASE FROM THE DEPARTMENT OF ANY EVIDENCE~~
21 ~~OF EQUITY PARTICIPATION, SUCH AS NOTES, STOCKS, BONDS OR DEBENTURES;~~

22 (8) ~~REPAYMENTS RECEIVED FROM CONDITIONAL GRANTS EXTENDED~~
23 ~~BY THE DEPARTMENT; AND~~

24 (9) ~~ANY OTHER MONEYS MADE AVAILABLE TO THE DEPARTMENT.~~

25 (C) (†) ~~THE DEPARTMENT SHALL USE THE FUND FOR THE FOLLOWING~~
26 ~~PURPOSES:~~

27 (I) ~~TO MAKE A GRANT OR LOAN, AT A RATE OF INTEREST TO BE~~
28 ~~DETERMINED BY THE DEPARTMENT, TO BENEFIT AN ARTS AND ENTERTAINMENT~~
29 ~~ENTERPRISE;~~

30 (II) ~~TO PROVIDE EQUITY INVESTMENT FINANCING FOR AN ARTS~~
31 ~~AND ENTERTAINMENT ENTERPRISE;~~

32 (III) ~~TO PROVIDE GUARANTEES OF LOANS, EQUITY, INVESTMENT, OR~~
33 ~~OTHER PRIVATE FINANCING TO EXPAND THE CAPITAL RESOURCES OF AN ARTS AND~~
34 ~~ENTERTAINMENT ENTERPRISE;~~

35 (IV) ~~TO PURCHASE ADVISORY SERVICES AND TECHNICAL~~
36 ~~ASSISTANCE TO ENABLE THE DEPARTMENT TO BETTER SUPPORT THE~~
37 ~~DEVELOPMENT OF AN ARTS AND ENTERTAINMENT ENTERPRISE; AND~~

1 ~~(V) TO PAY EXPENSES FOR ADMINISTRATIVE, LEGAL AND~~
2 ~~ACTUARIAL SERVICES FOR THE DEPARTMENT ASSOCIATED WITH THE~~
3 ~~IMPLEMENTATION OF THIS SUBTITLE.~~

4 ~~(2) UNLESS OTHERWISE DETERMINED BY THE SECRETARY, MONEYS IN~~
5 ~~THE FUND THAT HAVE BEEN GENERATED BY A PARTICULAR DIVISION WITHIN THE~~
6 ~~DEPARTMENT SHALL BE ALLOCATED FOR THE USE OF THAT DIVISION.~~

7 ~~(D) (1) THE STATE TREASURER SHALL HOLD AND THE STATE~~
8 ~~COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

9 ~~(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO~~
10 ~~THE FUND.~~

11 ~~(E) (1) SECTION 10-305 OF THE STATE FINANCE AND PROCUREMENT~~
12 ~~ARTICLE DOES NOT APPLY TO ANY SALE, LEASE, TRANSFER, EXCHANGE, OR OTHER~~
13 ~~DISPOSITION OF ANY REAL OR PERSONAL PROPERTY ACQUIRED BY THE~~
14 ~~DEPARTMENT IN ANY TRANSACTION AUTHORIZED UNDER THIS SUBTITLE,~~
15 ~~INCLUDING SHARES OF STOCK IN AN ARTS AND ENTERTAINMENT ENTERPRISE.~~

16 ~~(2) THE DEPARTMENT SHALL CONSULT WITH THE OFFICE OF THE~~
17 ~~TREASURER IN CONNECTION WITH ANY PROPOSED DISPOSITION OF PROPERTY~~
18 ~~ACQUIRED BY THE DEPARTMENT UNDER THIS SUBTITLE.~~

19 ~~(F) DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE DOES~~
20 ~~NOT APPLY TO THE DEPARTMENT FOR SERVICES RELATED TO THE INVESTMENT,~~
21 ~~MANAGEMENT, ANALYSIS, PURCHASE, OR SALE OF ASSETS OF THE DEPARTMENT IN~~
22 ~~ANY TRANSACTION AUTHORIZED UNDER THIS SUBTITLE.~~

23 4-703.

24 THE SECRETARY SHALL ADOPT REGULATIONS THAT SPECIFY APPLICATION
25 PROCEDURES AND CRITERIA FOR DESIGNATION OF ARTS AND ENTERTAINMENT
26 DISTRICTS.

27 5-1401.

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

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

31 (1) Reduce the amount of nutrients in animal waste;

32 (2) Alter the composition of animal waste;

33 (3) Develop alternative waste management strategies; or

34 (4) Use animal waste in a production process.

1 (c) "Aquaculture project" means a project that encourages innovation,
 2 expansion, and modernization of the seafood processing industry or the aquaculture
 3 industry.

4 (d) "ARTS AND ENTERTAINMENT DISTRICT" MEANS AN AREA DESIGNATED
 5 UNDER TITLE 4, SUBTITLE 7 OF THIS ARTICLE AS AN ARTS AND ENTERTAINMENT
 6 DISTRICT.

7 (E) "ARTS AND ENTERTAINMENT ENTERPRISE" MEANS A FOR PROFIT OR
 8 NONPROFIT ENTITY LOCATED IN AN ARTS AND ENTERTAINMENT DISTRICT AND
 9 DEDICATED TO THE VISUAL OR PERFORMING ARTS.

10 (F) "ARTS AND ENTERTAINMENT PROJECT" MEANS A PROJECT THAT
 11 PROMOTES OR ENHANCES THE DEVELOPMENT OF AN ARTS AND ENTERTAINMENT
 12 DISTRICT.

13 (G) "Authority" means the Maryland Economic Development Assistance
 14 Authority.

15 [(e)] (H) "Brownfields Revitalization Incentive Program" means the Program
 16 within the Department under which financial assistance from the Fund is provided
 17 for the redevelopment of qualified brownfields sites, as set forth in § 5-1408 of this
 18 subtitle.

19 [(f)] (I) (1) "Brownfields site" means:

20 (i) An eligible property, as defined in § 7-501 of the Environment
 21 Article, that is:

22 1. Owned or operated by:

23 A. An inculpable person, as defined in § 7-501 of the
 24 Environment Article; or

25 B. An innocent purchaser that meets the requirements set
 26 forth in § 7-201(x)(2)(i) of the Environment Article; and

27 2. Located in a county or municipal corporation that has
 28 elected to participate in the Brownfields Revitalization Incentive Program in
 29 accordance with § 5-1408(a) of this subtitle; or

30 (ii) Property where there is a release, discharge, or threatened
 31 release of oil, as defined in § 4-401 of the Environment Article, that is:

32 1. Subject to a corrective action plan approved by the
 33 Department of the Environment in accordance with Title 4 of the Environment
 34 Article; and

1 [(s)] (V) "Working capital" means funds to be used for current operations of a
2 business.

3 5-1402.

4 The purposes of the Maryland Economic Development Assistance Fund are to:

5 (1) Expand employment opportunities in the State by providing financial
6 assistance to businesses that are engaged in eligible industry sectors, including
7 financial assistance for creation and expansion of child care facilities, animal waste
8 technology projects, [and] aquaculture projects, ARTS AND ENTERTAINMENT
9 ENTERPRISES, AND ARTS AND ENTERTAINMENT PROJECTS;

10 (2) Provide financial incentives for redevelopment of qualified
11 brownfields sites; and

12 (3) Provide financial assistance to local governments for economic
13 development projects and grants for local economic development funds.

14 5-1405.

15 (b) Financial assistance from the Fund may be used only to finance costs
16 incurred for:

17 (1) Acquisition or construction of a building or real estate;

18 (2) Acquisition, construction, or installation of machinery, equipment,
19 furnishings, fixtures, leasehold improvements, site improvements, or infrastructure
20 improvements, including rail line enhancements on or to the site of an economic
21 development project;

22 (3) Working capital for significant strategic economic development
23 opportunities, ARTS AND ENTERTAINMENT ENTERPRISES, OR ARTS AND
24 ENTERTAINMENT PROJECTS;

25 (4) Redevelopment of qualified brownfields sites;

26 (5) (i) Except as provided in item (ii) of this paragraph, up to 50% of
27 the costs of renovations, construction, or purchase of real property, fixtures, or
28 equipment related to a child care facility, but not for refinancing existing loans,
29 working capital, supplies, or inventory; or

30 (ii) A business that has received or will receive a day care loan
31 insured by the Maryland Industrial Development Financing Authority; such
32 businesses shall be limited to financial assistance from the Fund of not more than
33 20% of the costs described in item (i) of this paragraph;

34 (6) If incurred by a local government, costs of feasibility studies; and

1 (7) Up to 50% of the costs of preparing a county's or municipality's
2 strategy or plan for economic development, not to exceed a total of \$50,000 in a 3-year
3 period.

4 (c) (1) Financial assistance from the Fund:

5 (i) May not exceed the lesser of \$10,000,000 or 20% of the Fund
6 balance;

7 (ii) Except as provided in item (iii) of this paragraph, may not
8 exceed 70% of the total costs of the project being financed;

9 (iii) May constitute 100% of the total costs of the project being
10 financed if [the recipient]:

11 1. THE RECIPIENT is the Maryland Economic Development
12 Corporation; OR

13 2. THE FINANCIAL ASSISTANCE IS FOR AN ARTS AND
14 ENTERTAINMENT ENTERPRISE OR ARTS AND ENTERTAINMENT PROJECT;

15 (iv) If a loan for a significant strategic economic development
16 opportunity or for a specialized economic development opportunity, shall carry an
17 interest rate below the market rate of interest, as determined by the Department;

18 (v) If a loan for a local economic development opportunity or to a
19 local government, shall carry an interest rate not exceeding one-eighth of one percent
20 plus the net interest cost of the most recent State general obligation bond issue
21 preceding the approval of the loan;

22 (vi) Shall not bear a rate of interest less than 3% unless the project
23 funded by a loan is located in an area of high unemployment or the Department
24 determines that the borrower is carrying out a compelling economic development
25 initiative; and

26 (vii) May not be used to refinance existing debt.

27 (2) Loans from the Fund may not be for a term exceeding:

28 (i) For working capital - 3 years;

29 (ii) For financing machinery, equipment, furnishings, or fixtures -
30 the lesser of 15 years or the useful life of the asset, as determined by the Department;

31 (iii) For financing the construction or acquisition of buildings and
32 real estate - 25 years; and

33 (iv) For financing redevelopment of a qualified brownfields site - a
34 term approved by the Department or the Authority.

35 (3) For loans from the Fund the Department may:

- 1 (i) Waive interest during the first 2 years of a loan term; or
- 2 (ii) Upon a default by the borrower, impose an interest rate that
3 exceeds the limits set forth in paragraph (1) of this subsection.
- 4 (4) Investments from the Fund may be made only in conjunction with a
5 loan or a grant from the Fund.
- 6 5-1410.
- 7 (a) Annually, after considering the recommendation of the Maryland
8 Economic Development Commission, the Authority shall establish a list of industry
9 sectors that will be eligible for loans from the Fund.
- 10 (b) Before making its recommendation to the Authority, the Maryland
11 Economic Development Commission shall:
- 12 (1) Consult with the Department and the Department of Labor,
13 Licensing, and Regulation; and
- 14 (2) Evaluate the potential employment and economic growth of
15 Maryland's industry sectors.
- 16 (c) In determining whether an applicant is engaged in an eligible industry
17 sector, the Department shall consider the definitions set forth in the standard
18 industrial classification manual.
- 19 (d) The provisions of this section do not apply to financial assistance to a local
20 government that uses the financial assistance provided under this subtitle to carry
21 out a project that does not benefit a particular private sector entity.
- 22 (e) For the purpose of providing financial assistance under this subtitle, the
23 following shall be deemed to be in eligible industry sectors and are not subject to the
24 requirements specifically imposed on significant strategic economic development
25 opportunities and local economic development opportunities:
- 26 (1) Animal waste technology projects;
- 27 (2) Aquaculture projects;
- 28 (3) Redevelopment of qualified brownfields sites; [and]
- 29 (4) Creation or expansion of child care facilities; AND
- 30 (5) ARTS AND ENTERTAINMENT ENTERPRISES AND ARTS AND
31 ENTERTAINMENT PROJECTS.

1

Article - Tax - General

2 4-104.

3 (E) (1) IN THIS SUBSECTION, "ARTS AND ENTERTAINMENT DISTRICT", "ARTS
4 AND ENTERTAINMENT ENTERPRISE" AND "QUALIFYING RESIDING ARTIST" HAVE THE
5 MEANINGS STATED IN ARTICLE 83A, § 4-701 OF THE CODE.

6 (2) A COUNTY OR A MUNICIPAL CORPORATION MAY EXEMPT FROM THE
7 ADMISSIONS AND AMUSEMENT TAX GROSS RECEIPTS FROM ANY ADMISSIONS OR
8 AMUSEMENT CHARGE LEVIED BY AN ARTS AND ENTERTAINMENT ENTERPRISE OR
9 QUALIFYING RESIDING ARTIST IN AN ARTS AND ENTERTAINMENT DISTRICT.

10 10-207.

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

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

19 (3) FOR THE PURPOSE OF DETERMINING WHETHER INCOME IS DERIVED
20 WITHIN AN ARTS AND ENTERTAINMENT DISTRICT FOR THE PURPOSE OF THIS
21 SUBSECTION, A QUALIFYING RESIDING ARTIST SHALL ALLOCATE RECEIPTS AND
22 EXPENSES AS THE COMPTROLLER MAY REQUIRE.

23 ~~11-229.~~

24 ~~(A) IN THIS SECTION, "ARTISTIC WORK", "ARTS AND ENTERTAINMENT
25 DISTRICT", AND "QUALIFYING RESIDING ARTIST" HAVE THE MEANINGS STATED IN
26 ARTICLE 83A, § 4-701 OF THE CODE.~~

27 ~~(B) THE SALES AND USE TAX DOES NOT APPLY TO THE SALE OF AN ARTISTIC
28 WORK WITHIN AN ARTS AND ENTERTAINMENT DISTRICT.~~

29

Article - Tax - Property30 9-229.

31 (a) (3) "Qualified brownfields site" has the meaning stated in Article 83A, [§
32 5-1401(o)] § 5-1401 of the Code.

1 9-239.

2 (A) IN THIS SECTION, "ARTS AND ENTERTAINMENT DISTRICT" AND
3 "QUALIFYING RESIDING ARTIST" HAVE THE MEANINGS STATED IN ARTICLE 83A, §
4 4-701 OF THE CODE.

5 (B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY
6 GRANT, BY LAW, A PROPERTY TAX CREDIT AGAINST THE COUNTY OR MUNICIPAL
7 CORPORATION PROPERTY TAX IMPOSED ON A MANUFACTURING, COMMERCIAL, OR
8 INDUSTRIAL BUILDING THAT:

9 (1) IS LOCATED IN AN ARTS AND ENTERTAINMENT DISTRICT; AND

10 (2) IS WHOLLY OR PARTIALLY RENOVATED FOR USE BY A QUALIFYING
11 RESIDING ARTIST OR AN ARTS AND ENTERTAINMENT ENTERPRISE.

12 (C) A TAX CREDIT GRANTED UNDER THIS SECTION MAY NOT BE GRANTED FOR
13 MORE THAN 10 YEARS.

14 14-902.

15 (a) (2) "Qualified brownfields site" has the meaning stated in Article 83A, [§
16 5-1401(o)] § 5-1401 of the Code.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2001.