
By: **Delegate D. Davis**

Rules suspended

Introduced and read first time: March 18, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Enterprise Zone Incentives - Multifamily Residential Property**

3 FOR the purpose of altering certain definitions to make certain property in an
4 enterprise zone and certain persons owning, operating, developing, constructing,
5 or rehabilitating certain property in an enterprise zone eligible for certain
6 incentives; and generally relating to certain incentives provided to certain
7 property located in an enterprise zone and to certain persons owning, operating,
8 developing, constructing, or rehabilitating certain property in an enterprise
9 zone.

10 BY repealing and reenacting, with amendments,
11 Article 83A - Department of Business and Economic Development
12 Section 5-401(c)
13 Annotated Code of Maryland
14 (2003 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article - Tax - General
17 Section 10-702(a)(2)
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 2003 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Tax - Property
22 Section 9-103(a)(4) and (6) and (d)
23 Annotated Code of Maryland
24 (2001 Replacement Volume and 2003 Supplement)

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

Article 83A - Department of Business and Economic Development

5-401.

(c) (1) "Business entity" means a person operating or conducting a trade or business.

(2) Except as provided in § 9-103 of the Tax - Property Article, "business entity" does not include a person owning, operating, developing, constructing, or rehabilitating property LOCATED WITHIN THE ENTERPRISE ZONE THAT IS intended for use primarily as:

(I) A single FAMILY RESIDENTIAL PROPERTY; or

(II) A multifamily residential property [located within the enterprise zone] HAVING FEWER THAN 50 UNITS.

Article - Tax - General

10-702.

(a) (2) (i) "Business entity" means:

1. a person conducting or operating a trade or business; or

2. an organization that is exempt from taxation under § 501(c)(3) or (4) of the Internal Revenue Code.

(ii) "Business entity" does not include a person owning, operating, developing, constructing, or rehabilitating property LOCATED WITHIN THE ENTERPRISE ZONE THAT IS intended for use primarily as:

1. A single FAMILY RESIDENTIAL PROPERTY; or

2. A multifamily residential property [located within the enterprise zone] HAVING FEWER THAN 50 UNITS.

Article - Tax - Property

9-103.

(a) (4) (i) "Business entity" means a person who operates or conducts a trade or business.

(ii) "Business entity" includes a person who owns, operates, develops, constructs, or rehabilitates real property LOCATED IN THE ENTERPRISE ZONE, if the real property:

1. is intended for use primarily as A single FAMILY RESIDENTIAL PROPERTY or AS multifamily residential property [located in the enterprise zone]; and

1 property for each of the 10 taxable years following the calendar year in which the
2 property initially becomes a qualified property.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2004.