

HOUSE BILL 327

Q1

71r1992

By: **Delegates Feldman, Ali, Barkley, Bronrott, Dumais, Gilchrist, Haddaway, Hecht, Jameson, N. King, Kramer, Lawton, Lee, Levi, Manno, Mathias, Miller, Morhaim, Myers, Rice, Taylor, Vaughn, ~~and Walkup~~ Walkup, Bartlett, Cardin, George, Hixson, Howard, Ivey, Krebs, McKee, Olszewski, Ross, Stukes, and F. Turner**

Introduced and read first time: January 31, 2007

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2007

CHAPTER _____

1 AN ACT concerning

2 **Property Tax - ~~Exemption~~ Credit for Property Used as a Publicly Sponsored**
3 **Business Incubator**

4 FOR the purpose of ~~exempting from the State and local property tax~~ authorizing the
5 Mayor and City Council of Baltimore City or the governing body of a county or
6 of a municipal corporation to grant, by law, a property tax credit for certain
7 property that is used as a business incubator; authorizing the county or
8 municipal corporation to provide, by law, for the amount and duration of the
9 credit and for certain provisions necessary to carry out this Act; defining a
10 certain term; providing for the application of this Act; and generally relating to
11 a State and local property tax ~~exemption~~ credit for certain property that is used
12 as a business incubator.

13 BY adding to

14 Article – Tax – Property

15 Section ~~7-242~~ 9-246

16 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2001 Replacement Volume and 2006 Supplement)

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

4 **Article - Tax - Property**

5 ~~7-242, 9-246.~~

6 (A) IN THIS SECTION, "BUSINESS INCUBATOR" MEANS A PROGRAM IN
7 WHICH UNITS OF SPACE ARE LEASED BY MULTIPLE EARLY-STAGE BUSINESSES
8 THAT SHARE PHYSICAL COMMON SPACE, ADMINISTRATIVE SERVICES AND
9 EQUIPMENT, BUSINESS MANAGEMENT TRAINING, MENTORING, AND TECHNICAL
10 SUPPORT.

11 (B) ~~PROPERTY THAT IS USED AS A BUSINESS INCUBATOR IS NOT~~
12 ~~SUBJECT TO PROPERTY TAX~~ THE MAYOR AND CITY COUNCIL OF BALTIMORE
13 CITY OR THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL
14 CORPORATION MAY GRANT, BY LAW, A PROPERTY TAX CREDIT AGAINST THE
15 COUNTY OR MUNICIPAL PROPERTY TAX IMPOSED ON PROPERTY THAT IS USED
16 AS A BUSINESS INCUBATOR IF THE STATE, A COUNTY, A MUNICIPAL
17 CORPORATION, AN ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C)(3)
18 OF THE INTERNAL REVENUE CODE, A PUBLIC INSTITUTION OF HIGHER
19 EDUCATION, OR AN AGENCY OR INSTRUMENTALITY OF THE STATE, A COUNTY, A
20 MUNICIPAL CORPORATION, OR A PUBLIC INSTITUTION OF HIGHER EDUCATION:

21 (1) OWNS, CONTROLS, OR LEASES THE SPACE THAT IS USED AS A
22 BUSINESS INCUBATOR;

23 (2) PROVIDES AT LEAST 50% OF THE TOTAL FUNDING RECEIVED
24 BY THE BUSINESS INCUBATOR FROM ALL SOURCES, NOT INCLUDING RENTS
25 RECEIVED FROM INCUBATOR TENANT FIRMS; OR

26 (3) IS REPRESENTED ON THE GOVERNANCE BOARD THAT
27 AUTHORIZES THE ANNUAL BUDGET OF THE BUSINESS INCUBATOR.

28 (C) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE
29 GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY PROVIDE,
30 BY LAW, FOR:

1 **(1) THE AMOUNT AND DURATION OF THE PROPERTY TAX CREDIT**
2 **UNDER THIS SECTION;**

3 **(2) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT**
4 **UNDER THIS SECTION;**

5 **(3) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND**
6 **UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT; AND**

7 **(4) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS**
8 **SECTION.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2007, and shall be applicable to all taxable years beginning after June 30,
11 2007.

Approved:

_____ Governor.

_____ Speaker of the House of Delegates.

_____ President of the Senate.