

CHAPTER 517

(House Bill 721)

AN ACT concerning

Job Creation Tax Credit – ~~Repeal~~ of Termination Provisions

FOR the purpose of ~~repealing~~ altering the termination provisions applicable to the job creation tax credit program; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the job creation tax credit program.

BY repealing and reenacting, with amendments,

Article 83A – Department of Business and Economic Development
Section 5–1103
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 6–309
Annotated Code of Maryland
(As enacted by Chapter 306 (H.B. 1050) of the Acts of the General Assembly of 2008)

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

Article 83A – Department of Business and Economic Development

~~§~~5–1103.

(a) Subject to the provisions of this section, the provisions of this subtitle and the tax credit authorized under this subtitle shall terminate as of January 1, ~~2010~~ **2014**.

(b) (1) The tax credits authorized under this subtitle:

(i) May be claimed only for qualified positions at a newly established or expanded facility that commences operations before January 1, ~~2009~~ **2013**; and

(ii) May not be earned for any credit year beginning on or after January 1, ~~2010~~ **2014**.

(2) Subject to the limitations under this subtitle, for taxable years beginning on or after January 1, ~~2010~~ **2014**, tax credits earned in credit years beginning before January 1, ~~2010~~ **2014**, may be allowed ratably over a 2-year period, may be carried forward, and are subject to recapture as provided in § 5-1102 of this subtitle.†

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

6-309.

(a) (1) Subject to paragraph (2) of this subsection, this subtitle and the tax credit authorized under it shall terminate on January 1, [2010] **2014**.

(2) As provided in this subtitle, for taxable years beginning on or after January 1, [2010] **2014**, tax credits earned in credit years beginning before January 1, [2010] **2014** may be allowed ratably over a 2-year period, may be carried forward, and are subject to recapture in accordance with § 6-305 of this subtitle.

(b) The tax credit authorized under this subtitle:

(1) may be claimed only for qualified positions at a newly established or expanded business facility that commences operations before January 1, [2009] **2013**; and

(2) may not be earned for a credit year beginning on or after January 1, [2010] **2014**.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter 306 (H.B. 1050) of the Acts of the General Assembly of 2008. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.

SECTION ~~2~~ **4**. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act, this Act shall take effect July 1, 2008.

Approved by the Governor, May 13, 2008.