

HOUSE BILL 699

Q2, Q4

9lr1180

By: **Delegates Hecht, Aumann, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Howard, Lee, Mizeur, Stein, and Waldstreicher**
Introduced and read first time: February 9, 2009
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Wind Energy – Tax Incentives**

3 FOR the purpose of exempting from the sales and use tax the sale of certain wind
4 energy equipment; exempting from the State and local property tax certain
5 wind energy property; defining certain terms; and generally relating to wind
6 energy tax incentives.

7 BY repealing and reenacting, with amendments,
8 Article – Tax – General
9 Section 11–230
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2008 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Tax – Property
14 Section 7–242
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2008 Supplement)

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

19 **Article – Tax – General**

20 11–230.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “Geothermal equipment” means equipment that uses ground loop
23 technology to heat and cool a structure.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (3) (i) “Solar energy equipment” means equipment that uses solar
 2 energy to heat or cool a structure, generate electricity to be used in a structure, or
 3 provide hot water for use in a structure.

4 (ii) “Solar energy equipment” does not include equipment that is
 5 part of a nonsolar energy system or that uses any type of recreational facility or
 6 equipment as a storage medium.

7 **(4) “WIND ENERGY EQUIPMENT” MEANS EQUIPMENT THAT USES**
 8 **WIND ENERGY TO GENERATE ELECTRICITY TO BE USED IN A STRUCTURE.**

9 (b) The sales and use tax does not apply to a sale of geothermal equipment
 10 [or], solar energy equipment, **OR WIND ENERGY EQUIPMENT.**

11 **Article – Tax – Property**

12 7–242.

13 (a) **(1) In this [section,] SECTION THE FOLLOWING WORDS HAVE THE**
 14 **MEANINGS INDICATED.**

15 **(2) “[solar] SOLAR energy property” means equipment that is**
 16 **installed to use solar energy to generate electricity to be used in a structure, or provide**
 17 **hot water for use in a structure.**

18 **(3) “WIND ENERGY PROPERTY” MEANS EQUIPMENT THAT IS**
 19 **INSTALLED TO USE WIND ENERGY TO GENERATE ELECTRICITY TO BE USED IN A**
 20 **STRUCTURE.**

21 (b) Except as provided in § 8–240 of this article, solar energy property [is]
 22 **AND WIND ENERGY PROPERTY ARE** not subject to real property tax.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 24 July 1, 2009.