

HB0803/733422/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 803  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certain” in line 4 down through “in” in line 5; in line 5, after “companies” insert “under certain circumstances”; in the same line, after “for” insert “certain”; in line 6, after “approval” insert “and certification”; strike beginning with the second “the” in line 6 down through “amounts” in line 8 and substitute “certain credits”; and in line 24, strike “limiting the maximum amount of initial credit certificates”.

On page 2, strike beginning with the first “that” in line 1 down through “returns;” in line 5; and strike beginning with “based” in line 11 down through “State” in line 12 and substitute “for certain cybersecurity companies in the State based on certain investments”.

AMENDMENT NO. 2

On page 3, strike beginning with “**INVESTMENTS**” in line 30 down through “**FOR**” in line 31.

On page 4, in line 1, strike “**PARAGRAPHS (2) AND (3)**” and substitute “**PARAGRAPH (2)**”; in lines 4, 27, and 28, in each instance, strike “**INVESTOR**” and substitute “**MARYLAND CYBERSECURITY COMPANY**”; strike in their entirety lines 8 through 19, inclusive; in line 20, strike “**(3)**” and substitute “**(2)**”; in the same line, strike “**TO BE ELIGIBLE FOR**” and substitute “**FOR PURPOSES OF**”; in line 21, after “**INVESTOR**” insert a colon; strike beginning with “**MAY**” in line 21 down through “**MADE.**” in line 24; after line 24, insert:

“(1) MAY NOT, AFTER MAKING THE PROPOSED INVESTMENT, OWN OR CONTROL MORE THAN 25% OF THE EQUITY INTERESTS IN THE

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QUALIFIED MARYLAND CYBERSECURITY COMPANY IN WHICH THE INVESTMENT IS MADE; AND

(II) SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT CONTAINING THE FOLLOWING:

1. EVIDENCE THAT THE INVESTOR IS:

A. IF A COMPANY, DULY ORGANIZED AND IN GOOD STANDING IN THE JURISDICTION UNDER THE LAWS UNDER WHICH IT IS ORGANIZED;

B. CURRENT IN THE PAYMENT OF ALL TAX OBLIGATIONS TO A STATE OR ANY UNIT OR SUBDIVISION OF A STATE; AND

C. NOT IN DEFAULT UNDER THE TERMS OF ANY CONTRACT WITH, INDEBTEDNESS TO, OR GRANT FROM A STATE OR ANY UNIT OR SUBDIVISION OF A STATE; AND

2. ANY OTHER INFORMATION THE DEPARTMENT MAY REQUIRE.”;

and in line 25, strike “MAKING” and substitute “RECEIVING”.

On page 5, in line 28, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”.

On page 6, in lines 10 and 22, in each instance, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”.

On page 7, strike beginning with “APPLY” in line 16 down through “INCURRED” in line 22 and substitute “CLAIM A REFUND IN THE AMOUNT OF THE EXCESS”; and in line 30, after “RECEIVE” insert “ANY BENEFIT, DIRECT OR INDIRECT, FROM”.

On page 8, in line 20, after “CERTIFICATE” insert “TO A QUALIFIED MARYLAND CYBERSECURITY COMPANY”; and in line 25, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”.

On page 9, strike beginning with “FISCAL YEAR 2015” in line 9 down through “THEREAFTER” in line 10 and substitute “EACH FISCAL YEAR”; in line 18, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”; in line 20, strike “AND IN PARAGRAPH (5) OF THIS SUBSECTION”; and in lines 26 and 28, in each instance, after “INVESTMENT” insert “IN THE QUALIFIED MARYLAND CYBERSECURITY COMPANY”.

On page 10, strike in their entirety lines 7 through 14, inclusive; strike in their entirety lines 22 through 24, inclusive; and after line 24, insert:

**“(II) THE QUALIFIED MARYLAND CYBERSECURITY COMPANY THAT RECEIVED THE CREDIT:**

**1. CEASES OPERATING AS AN ACTIVE BUSINESS WITH ITS HEADQUARTERS AND BASE OF OPERATIONS IN THE STATE; OR**

**2. PAYS OUT AS DIVIDENDS OR OTHERWISE DISTRIBUTES THE EQUITY INVESTMENT.”.**

On page 11, in lines 7, 19, 23, and 24, in each instance, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”; in line 17, after “INVESTOR”

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insert “, THE QUALIFIED MARYLAND CYBERSECURITY COMPANY,”; and in line 34, strike “INVESTOR” and substitute “QUALIFIED MARYLAND CYBERSECURITY COMPANY”.

On page 12, strike beginning with “THE” in line 2 down through “TO” in line 3; in line 8, strike “CATEGORY” and substitute “CATEGORIES”; and in line 9, after “INVESTORS” insert “AND QUALIFIED MARYLAND CYBERSECURITY COMPANIES”.