

HOUSE BILL 203

C8

3lr1207

By: **Delegates Stukes, Anderson, Carter, Conaway, Glenn, Haynes, McHale,
Mitchell, Oaks, B. Robinson, and Tarrant**

Introduced and read first time: January 21, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Arts, Business, and Cultural District –**
3 **Pennsylvania Avenue Corridor in Baltimore City**

4 FOR the purpose of requiring the Secretary of Business and Economic Development to
5 designate an arts, business, and cultural district in a certain area of Baltimore
6 City; providing for the purpose of the arts, business, and cultural district;
7 authorizing certain tax credits for certain individuals located or working within
8 the arts, business, and cultural district; defining certain terms; making certain
9 stylistic changes; and generally relating to the arts, business, and cultural
10 district in Baltimore City.

11 BY adding to

12 Article – Economic Development
13 Section 4–901 through 4–904 to be under the new subtitle “Subtitle 9. ABC
14 District”
15 Annotated Code of Maryland
16 (2008 Volume and 2012 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Tax – General
19 Section 4–104(e)
20 Annotated Code of Maryland
21 (2010 Replacement Volume and 2012 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Tax – Property
24 Section 9–240
25 Annotated Code of Maryland
26 (2012 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Economic Development**

4 **SUBTITLE 9. ABC DISTRICT.**

5 **4–901.**

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) “ARTS, BUSINESS, AND CULTURAL DISTRICT” OR “ABC DISTRICT”
9 MEANS A DISTRICT OF PUBLIC AND PRIVATE USES THAT IS DISTINGUISHED BY
10 CULTURAL RESOURCES AND LANDMARKS THAT PLAY A VITAL ROLE IN THE LIFE
11 AND DEVELOPMENT OF, AND CONTRIBUTE TO, THE COMMUNITY THROUGH
12 INTERPRETIVE, EDUCATIONAL, AND RECREATIONAL USES.

13 (C) “QUALIFYING INDIVIDUAL” MEANS AN INDIVIDUAL WHO:

14 (1) OWNS OR RENTS RESIDENTIAL REAL PROPERTY IN THE ARTS,
15 BUSINESS, AND CULTURAL DISTRICT; OR

16 (2) CONDUCTS A BUSINESS IN THE ARTS, BUSINESS, AND
17 CULTURAL DISTRICT.

18 **4–902.**

19 (A) THE SECRETARY SHALL DESIGNATE AN ARTS, BUSINESS, AND
20 CULTURAL DISTRICT IN BALTIMORE CITY.

21 (B) THE ABC DISTRICT CONSISTS OF THE AREA BETWEEN ORCHARD
22 STREET TO THE SOUTH, FULTON STREET TO THE NORTH, PENNSYLVANIA
23 AVENUE TO THE WEST, AND McCULLOH STREET TO THE EAST IN BALTIMORE
24 CITY.

25 **4–903.**

26 THE PURPOSE OF THE ABC DISTRICT IS TO REDEVELOP AND REVITALIZE
27 THE PENNSYLVANIA AVENUE CORRIDOR IN BALTIMORE CITY BY:

28 (1) RESTORING CULTURAL LANDMARKS AND COMMUNITIES;

29 (2) PRESERVING AND REUSING HISTORICAL BUILDINGS;

1 **(3) ENCOURAGING BUSINESS AND JOB DEVELOPMENT;**

2 **(4) ESTABLISHING TOURISM DESTINATIONS; AND**

3 **(5) ENHANCING PROPERTY VALUES.**

4 **4-904.**

5 **(A) IN THE ABC DISTRICT, A QUALIFYING INDIVIDUAL IS ELIGIBLE**
6 **FOR:**

7 **(1) THE PROPERTY TAX CREDIT UNDER § 9-240 OF THE TAX –**
8 **PROPERTY ARTICLE; AND**

9 **(2) THE EXEMPTION FROM THE ADMISSIONS AND AMUSEMENT**
10 **TAX UNDER § 4-104 OF THE TAX – GENERAL ARTICLE.**

11 **(B) A QUALIFYING INDIVIDUAL WHO MOVES INTO OR LOCATES IN THE**
12 **ABC DISTRICT ON OR AFTER THE ABC DISTRICT IS ESTABLISHED MAY**
13 **BENEFIT FROM THE TAX INCENTIVES IN THIS SECTION IF THE QUALIFYING**
14 **INDIVIDUAL:**

15 **(1) CREATES NEW OR ADDITIONAL JOBS; OR**

16 **(2) MAKES A CAPITAL INVESTMENT TO QUALIFY FOR THE**
17 **PROPERTY TAX CREDIT UNDER § 9-103 OF THE TAX – PROPERTY ARTICLE AND**
18 **THE INCOME TAX CREDITS UNDER § 10-702 OF THE TAX – GENERAL ARTICLE.**

19 **Article – Tax – General**

20 **4-104.**

21 **(e) (1) (I) In this subsection[, “arts] THE FOLLOWING WORDS HAVE**
22 **THE MEANINGS INDICATED.**

23 **(II) “ARTS and entertainment district”, “arts and entertainment**
24 **enterprise”, and “qualifying residing artist” have the meanings stated in § 4-701 of the**
25 **Economic Development Article.**

26 **(III) “ARTS, BUSINESS, AND CULTURAL DISTRICT” AND**
27 **“QUALIFYING INDIVIDUAL” HAVE THE MEANINGS STATED IN § 4-901 OF THE**
28 **ECONOMIC DEVELOPMENT ARTICLE.**

1 (2) A county or a municipal corporation may exempt from the
 2 admissions and amusement tax gross receipts from any admissions or amusement
 3 charge levied by an arts and entertainment [enterprise or] **ENTERPRISE**, A qualifying
 4 residing artist, **OR A QUALIFYING INDIVIDUAL** in an arts and entertainment district
 5 **OR AN ARTS, BUSINESS, AND CULTURAL DISTRICT**.

6 **Article – Tax – Property**

7 9–240.

8 (a) (1) In this section[, “arts] **THE FOLLOWING WORDS HAVE THE**
 9 **MEANINGS INDICATED.**

10 (2) **“ARTS** and entertainment district”, “arts and entertainment
 11 enterprise”, and “qualifying residing artist” have the meanings stated in § 4–701 of the
 12 Economic Development Article.

13 (3) **“ARTS, BUSINESS, AND CULTURAL DISTRICT” AND**
 14 **“QUALIFYING INDIVIDUAL” HAVE THE MEANINGS STATED IN § 4–901 OF THE**
 15 **ECONOMIC DEVELOPMENT ARTICLE.**

16 (b) The governing body of a county or municipal corporation may grant, by
 17 law, a property tax credit against the county or municipal corporation property tax
 18 imposed on a manufacturing, commercial, or industrial building that:

19 (1) is located in an arts and entertainment district **OR AN ARTS,**
 20 **BUSINESS, AND CULTURAL DISTRICT**; and

21 (2) is wholly or partially constructed or renovated to be capable for use
 22 by a qualifying residing artist, **A QUALIFYING INDIVIDUAL**, or an arts and
 23 entertainment enterprise.

24 (c) A tax credit granted under this section may not be granted for more than
 25 10 years.

26 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect
 27 October 1, 2013.