

Chapter 38

(Senate Bill 541)

AN ACT concerning

Baltimore City – Property Tax Credit – Supermarkets

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the personal property tax imposed on personal property of a supermarket that completes certain construction and is located in ~~or near~~ a certain food desert retail incentive area; requiring the Mayor and City Council of Baltimore City to designate what constitutes a food desert retail incentive area for purposes of the tax credit; providing that the tax credit may not exceed a certain amount; authorizing the Mayor and City Council of Baltimore City to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a personal property tax credit for certain supermarkets in Baltimore City.

BY adding to

Article – Tax – Property

Section 9–304(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

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

Article – Tax – Property

9–304.

(H) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ELIGIBLE CONSTRUCTION” MEANS CONSTRUCTION OF A NEW SUPERMARKET OR ANY SUBSTANTIAL RENOVATION OF AN EXISTING SUPERMARKET.

(III) “SUPERMARKET” MEANS A GROCERY STORE THAT HAS:

1. ALL MAJOR FOOD DEPARTMENTS, INCLUDING PRODUCE, MEAT, SEAFOOD, DAIRY, AND CANNED AND PACKAGED GOODS;

2. MORE THAN 50% OF TOTAL SALES DERIVED FROM FOOD SALES; AND

3. MORE THAN 50% OF TOTAL FLOOR SPACE DEDICATED TO FOOD SALES.

(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE COUNTY PERSONAL PROPERTY TAX IMPOSED ON PERSONAL PROPERTY THAT IS OWNED BY A SUPERMARKET THAT:

(I) COMPLETES ELIGIBLE CONSTRUCTION; AND

(II) IS LOCATED IN A FOOD DESERT ~~OR WITHIN ONE-QUARTER OF A MILE OF A FOOD DESERT~~ RETAIL INCENTIVE AREA.

(3) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL, BY LAW, DESIGNATE WHAT CONSTITUTES A FOOD DESERT RETAIL INCENTIVE AREA FOR PURPOSES OF THE TAX CREDIT UNDER THIS SUBSECTION.

(4) A PROPERTY TAX CREDIT GRANTED UNDER THIS SUBSECTION FOR A TAXABLE YEAR MAY NOT EXCEED THE AMOUNT OF PROPERTY TAX IMPOSED ON THE PERSONAL PROPERTY OF A SUPERMARKET IN THAT YEAR.

(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY ESTABLISH, BY LAW:

(I) LIMITS ON THE CUMULATIVE AMOUNT OF PROPERTY TAX CREDITS GRANTED UNDER THIS SUBSECTION;

(II) ADDITIONAL LIMITATIONS ON THE AMOUNT OF THE CREDIT;

(III) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SUPERMARKETS TO QUALIFY FOR THE TAX CREDIT UNDER THIS SUBSECTION;

(IV) ADDITIONAL CRITERIA FOR WHAT CONSTITUTES ELIGIBLE CONSTRUCTION THAT MAY QUALIFY A SUPERMARKET FOR THE TAX CREDIT UNDER THIS SUBSECTION; AND

(V) ANY OTHER PROVISIONS NECESSARY TO CARRY OUT THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~June~~ July 1, 2015, and shall be applicable to all taxable years beginning after ~~June 30~~ December 31, 2015.

Approved by the Governor, April 14, 2015.