

HOUSE BILL 572

Q2

EMERGENCY BILL

7lr0726

By: **Howard County Delegation**

Introduced and read first time: January 30, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Property Tax Credit for Commercial Real Property – Flood**
3 **Damage**

4 **Ho. Co. 9–17**

5 FOR the purpose of authorizing the governing body of Howard County to grant, by law, a
6 tax credit against the county property tax imposed on commercial real property that
7 the governing body determines has suffered certain damage caused by flood
8 conditions; authorizing the governing body of Howard County to specify the amount
9 and duration of the credit and to provide for the implementation and administration
10 of the credit; providing for the application of this Act; making this Act an emergency
11 measure; and generally relating to a property tax credit in Howard County for
12 certain flood damage to commercial real property.

13 BY repealing and reenacting, with amendments,
14 Article – Tax – Property
15 Section 9–315(a) and (b)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2016 Supplement)

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

20 **Article – Tax – Property**

21 9–315.

22 (a) The governing body of Howard County may grant, by law, a property tax credit
23 under this section against the county property tax imposed on:

24 (1) property that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) is owned by any community association;

2 (ii) is used for community, civic, educational, library, or park
3 purposes; and

4 (iii) is not a swimming pool, tennis court, or similar recreational
5 facility;

6 (2) real property that is subject to the county's agricultural land
7 preservation program;

8 (3) subject to subsections (b) and (c) of this section, real property that is
9 new construction or an improvement to real property owned or occupied by a commercial
10 or industrial business that:

11 (i) is currently or will be doing business in Howard County;

12 (ii) will employ at least 12 additional full-time local employees by
13 the second year in which the credit is allowed, not including any employee filling a job
14 created when a job function is shifted from an existing location in the State to the location
15 of the new construction or improvement; and

16 (iii) makes a substantial investment in Howard County, which may
17 be:

18 1. the acquisition of a building, land, or equipment that
19 totals at least \$2,000,000; or

20 2. the creation of 10 positions with salaries greater than the
21 current average annual wage in Howard County;

22 (4) subject to subsection (b) of this section, real property that is used as a
23 therapeutic riding facility by a nonprofit organization that:

24 (i) is exempt from taxation under § 501(c)(3) of the Internal Revenue
25 Code;

26 (ii) provides services to disabled individuals; and

27 (iii) has at least 85% of its clients who are disabled individuals; [and]

28 (5) subject to subsection (b) of this section, owner-occupied residential real
29 property that is jointly owned by an individual and the Howard County Housing
30 Commission; **AND**

1 **(6) SUBJECT TO SUBSECTION (B) OF THIS SECTION, COMMERCIAL**
2 **REAL PROPERTY THAT THE GOVERNING BODY OF HOWARD COUNTY DETERMINES**
3 **HAS SUFFERED FLOOD DAMAGE OR SEWER DAMAGE CAUSED BY FLOOD CONDITIONS.**

4 (b) In establishing a tax credit under subsection (a)(3) through ~~[(5)]~~ **(6)** of this
5 section, the governing body of Howard County:

6 (1) shall develop criteria necessary to implement the credit;

7 (2) shall designate an agency to administer the credit; and

8 (3) may specify:

9 (i) the amount and duration of the credit;

10 (ii) the qualifications and application procedures for the credit; and

11 (iii) any other requirement or procedure for the granting or
12 administration of the credit that the governing body considers appropriate.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be applicable to
14 all taxable years beginning after June 30, 2017.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
16 measure, is necessary for the immediate preservation of the public health or safety, has
17 been passed by a ye and nay vote supported by three-fifths of all the members elected to
18 each of the two Houses of the General Assembly, and shall take effect from the date it is
19 enacted.