

SENATE BILL 928

Q2

8lr1691
CF 8lr1534

By: **Senators Benson, Madaleno, and Oaks**
Introduced and read first time: February 5, 2018
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Property Tax Credit – Supermarkets**

3 FOR the purpose of authorizing the governing body of Prince George's County to grant, by
4 law, a property tax credit against the personal property tax imposed on personal
5 property of a supermarket that completes certain construction and is located in a
6 certain food desert retail incentive area; requiring the governing body of Prince
7 George's County to designate what constitutes a food desert retail incentive area for
8 purposes of the tax credit; providing that the tax credit may not exceed a certain
9 amount; authorizing the governing body of Prince George's County to provide, by
10 law, for certain matters relating to the tax credit; defining certain terms; providing
11 for the application of this Act; and generally relating to a personal property tax credit
12 for certain supermarkets in Prince George's County.

13 BY adding to
14 Article – Tax – Property
15 Section 9–318(h)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2017 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 9–318.

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

24 **(II) “ELIGIBLE CONSTRUCTION” MEANS CONSTRUCTION OF A**

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



1 NEW SUPERMARKET OR ANY SUBSTANTIAL RENOVATION OF AN EXISTING
2 SUPERMARKET.

3 (III) "SUPERMARKET" MEANS A GROCERY STORE THAT HAS:

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

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

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

10 (2) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY
11 GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE
12 COUNTY PERSONAL PROPERTY TAX IMPOSED ON PERSONAL PROPERTY THAT IS
13 OWNED BY A SUPERMARKET THAT:

14 (I) COMPLETES ELIGIBLE CONSTRUCTION; AND

15 (II) IS LOCATED IN A FOOD DESERT RETAIL INCENTIVE AREA.

16 (3) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY SHALL, BY
17 LAW, DESIGNATE WHAT CONSTITUTES A FOOD DESERT RETAIL INCENTIVE AREA FOR
18 PURPOSES OF THE TAX CREDIT UNDER THIS SUBSECTION.

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

22 (5) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY
23 ESTABLISH, BY LAW:

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

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

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

29 (IV) ADDITIONAL CRITERIA FOR WHAT CONSTITUTES ELIGIBLE

1 CONSTRUCTION THAT MAY QUALIFY A SUPERMARKET FOR THE TAX CREDIT UNDER
2 THIS SUBSECTION; AND

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2018, and shall be applicable to all taxable years beginning after June 30, 2018.