

Article - Tax - Property

[\[Previous\]](#)[\[Next\]](#)

§9–229.

(a) (1) In this section the following words have the meanings indicated.

(2) “Opportunity zone” means an area that has been designated as a qualified opportunity zone in the State under § 1400Z–1 of the Internal Revenue Code.

(3) “Property tax attributable to an increase in an assessment” means the additional property tax required to be paid as a result of the increase in the assessment, calculated before the application of the credit under this section but after the application of any other credit allowed under this title.

(4) “Qualified brownfields site” has the meaning stated in § 5–301 of the Economic Development Article.

(5) “Taxing jurisdiction” means:

- (i) a county or Baltimore City; or
- (ii) a municipal corporation.

(b) (1) (i) A taxing jurisdiction may elect to participate in the Brownfields Revitalization Incentive Program under Title 5, Subtitle 3 of the Economic Development Article through the enactment of legislation that grants property tax credits in accordance with the requirements of this section.

(ii) If a taxing jurisdiction elects to participate in the Program in accordance with this section, the taxing jurisdiction shall notify the Department of Commerce.

(2) If a taxing jurisdiction elects to participate in the Brownfields Revitalization Incentive Program in accordance with this section, the property tax credits under this section shall also apply to the State property tax in that jurisdiction in the same percentage and for the same duration as provided for the property tax of the taxing jurisdiction.

(c) For each of the 5 taxable years immediately following the first revaluation of the property after completion of a voluntary cleanup or corrective

action plan of a brownfields site, each participating taxing jurisdiction where a qualified brownfields site is located shall:

(1) grant a property tax credit against the property tax imposed on the qualified brownfields site in an amount equal to 50% of the property tax attributable to the increase in the assessment of the qualified brownfields site, including improvements added to the site within the 5-year period as provided under this subsection, over the assessment of the qualified brownfields site before the voluntary cleanup; and

(2) contribute to the Maryland Economic Development Assistance Fund under § 5-313(8) of the Economic Development Article, 30% of the property tax attributable to the increase in the assessment of the brownfields site, including improvements added to the site within the 5-year period as provided under this subsection, over the assessment of the qualified brownfields site before the voluntary cleanup.

(d) (1) A taxing jurisdiction may grant a property tax credit against the property tax imposed on a qualified brownfields site in addition to the credit granted under subsection (c) of this section.

(2) Subject to the limitation in paragraph (3) of this subsection, a taxing jurisdiction may:

(i) vary the percentage of the additional property tax credit granted under this subsection; and

(ii) establish additional eligibility criteria for any additional property tax credit granted.

(3) The total additional property tax credit granted under this subsection may not exceed an additional 20% of the remaining property tax attributable to the increase in the assessment of the qualified brownfields site including improvements added to the site over the assessment of the qualified brownfields site before the voluntary cleanup.

(e) (1) A credit under this section may not be calculated on an increase in assessment due to the termination of a use value under §§ 8-209 through 8-217 or §§ 8-220 through 8-225 of this article.

(2) If the qualified brownfields site on which the voluntary cleanup is completed had a use value immediately before the cleanup, the credit shall be calculated on an assessment as if the parcel had been valued at market value.

(f) In a designated enterprise zone or opportunity zone, a taxing jurisdiction may extend the tax credit authorized under this section up to an additional 5 years.

(g) A taxing jurisdiction's contribution for each qualified brownfields site to the Maryland Economic Development Assistance Fund under subsection (c)(2) of this section shall be used only for brownfields sites in the taxing jurisdictions that have enacted a brownfields property tax credit ordinance.

(h) A taxing jurisdiction shall terminate any property tax credit under this section if:

(1) a person receiving a credit under this section withdraws from the Voluntary Cleanup Program under § 7-512(a) or (b) of the Environment Article; or

(2) the Department of the Environment withdraws approval of a response action plan, or a certificate of completion under § 7-512(e) and (f) of the Environment Article.

[\[Previous\]](#)[\[Next\]](#)