

# SENATE BILL 363

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5lr2838  
CF HB 397

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By: **Senator Bailey**

Introduced and read first time: January 17, 2025

Assigned to: Education, Energy, and the Environment

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 24, 2025

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Agricultural and Resource–Based Industry Development Corporation**  
3 **– Oyster Shucking House Loan Program**

4 FOR the purpose of altering a certain loan program to authorize the Maryland Agricultural  
5 and Resource–Based Industry Development Corporation to provide loans up to a  
6 certain amount for certain seasonal full–time jobs; reducing the number of years that  
7 a person must have been a licensed seafood dealer in order to be eligible to receive  
8 financing under the loan program; and generally relating to loans provided by the  
9 Maryland Agricultural and Resource–Based Industry Development Corporation.

10 BY repealing and reenacting, with amendments,  
11 Article – Economic Development  
12 Section 10–519.1  
13 Annotated Code of Maryland  
14 (2024 Replacement Volume and 2024 Supplement)

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

### Article – Economic Development

18 10–519.1.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2) “Eligible seafood processing project” means a project to establish or expand the business of a licensed seafood dealer that:

(i) supports the goal of increasing the amount of oyster shells retained in the State and returned to the Chesapeake Bay; and

(ii) meets the criteria established by the Corporation under this section.

(3) “Licensed seafood dealer” means a person licensed under § 4–701 of the Natural Resources Article to buy, process, pack, resell, market or otherwise deal in fish caught in the tidal waters of the State.

(4) “Repletion” means enhancing areas where commercial harvest is permitted.

(5) “Seasonal full–time job” means a position for which an individual is required to work a minimum of 420 hours during 12 weeks of a 3–month period.

(b) (1) (i) The Corporation shall provide loans up to \$250,000 to finance the costs of eligible seafood processing projects in accordance with this section, including historic oyster shucking facilities, not to exceed \$25,000 for each full–time job or [\$10,000 for each] seasonal full–time job that is projected to be created or retained.

(ii) Beginning 1 year after receipt of a loan under this section, a loan recipient shall report each year for 3 consecutive years to the Corporation to certify the number of full–time jobs and seasonal full–time jobs that were created or retained by the recipient during the previous 12–month period.

(2) Financing provided under this section shall be conditioned on the agreement by the recipient to comply with the provisions of § 4–1019.2 of the Natural Resources Article until the loan is repaid.

(3) The Corporation shall forgive any loan provided under this section as follows:

(i) the current market value as established in § 4–1019.2 of the Natural Resources Article for each bushel of oyster shells that the loan recipient returns to the Department of Natural Resources at no cost; or

(ii) \$25 for each bushel of spat–on–shell that the person plants on a public fishery bottom as verified by the Department of Natural Resources.

(c) A person is eligible to receive financing under this section if the person:

(1) (i) has been a licensed seafood dealer for at least [5] 3 years; or

(ii) has held a tidal fish license issued under § 4–701 of the Natural Resources Article for at least 5 years and agrees to obtain a seafood dealer license on receiving financing under this section;

(2) has paid all applicable business taxes and fees for the past 5 years;

(3) demonstrates to the satisfaction of the Corporation through a business plan and pro forma financial projections that, within 5 years after receiving financing under this section, the person's seafood processing business will have the potential to achieve viability as a business;

(4) meets any other eligibility requirements established by the Corporation; and

(5) agrees to the financing terms and conditions established by the Corporation that are otherwise in conformance with this section.

(d) (1) For fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of \$1,000,000 to the Corporation for the purpose of providing loans under this section.

(2) The appropriation in paragraph (1) of this subsection shall be distributed to a special account to be used only to:

(i) provide loans under this section; and

(ii) pay the costs necessary to administer and operate this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.