

# HOUSE BILL 1056

C8, L6, Q2

1lr1173

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By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Port Towns Green Business Zone**

3 **PG 418–11**

4 FOR the purpose of creating the Port Towns green business zone in Prince George's  
5 County; requiring the Secretary of Business and Economic Development to  
6 designate a not-for-profit entity to establish certain job training, internship,  
7 and apprenticeship standards that a green business must meet to receive  
8 certain incentives; establishing the benefits available in the zone; requiring the  
9 Department of Business and Economic Development and the State Comptroller  
10 to assess annually the effectiveness of certain tax credits provided to certain  
11 businesses located in the zone and submit a certain report; establishing a  
12 certain credit against the State income tax for certain businesses located in the  
13 zone; establishing a certain credit against certain property taxes imposed on  
14 certain real property located in the zone; requiring a local governing body to  
15 certify to the State Department of Assessments and Taxation the real properties  
16 in the zone that qualify for a tax credit and the date of qualification; requiring  
17 that Department to submit certain information to a local governing body before  
18 tax bills are sent; requiring the State to remit funds to the county or municipal  
19 corporation to offset a certain amount of property tax revenues not collected by  
20 the county or municipal corporation because of the property tax credit; defining  
21 certain terms; providing for the application of this Act; providing for the  
22 termination of this Act; and generally relating to the Port Towns green business  
23 zone and the benefits available in the Port Towns green business zone.

24 BY adding to

25 Article – Economic Development

26 Section 13–1201 through 13–1205 to be under the new subtitle “Subtitle 12.  
27 Port Towns Green Business Zone”

28 Annotated Code of Maryland

29 (2008 Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Tax – General  
3 Section 10–702.1  
4 Annotated Code of Maryland  
5 (2010 Replacement Volume)

6 BY adding to  
7 Article – Tax – Property  
8 Section 9–103.1  
9 Annotated Code of Maryland  
10 (2007 Replacement Volume and 2010 Supplement)

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

13 **Article – Economic Development**

14 **SUBTITLE 12. PORT TOWNS GREEN BUSINESS ZONE.**

15 **13–1201.**

16 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
17 **INDICATED.**

18 **(B) “GREEN BUSINESS” MEANS A BUSINESS ENTITY THAT IS PRIMARILY**  
19 **ENGAGED IN RESEARCHING, MANUFACTURING, OR DEPLOYING:**

20 **(1) RENEWABLE ENERGY TECHNOLOGIES OR SERVICES;**

21 **(2) ENERGY STORAGE TECHNOLOGIES OR SERVICES;**

22 **(3) ENERGY EFFICIENCY AND CONSERVATION TECHNOLOGIES OR**  
23 **SERVICES; OR**

24 **(4) OTHER TECHNOLOGIES OR SERVICES THAT CONTRIBUTE**  
25 **DIRECTLY OR INDIRECTLY TO:**

26 **(I) THE PRODUCTION OF ENERGY FROM RENEWABLE OR**  
27 **SUSTAINABLE SOURCES; OR**

28 **(II) THE IMPROVEMENT OF EFFICIENCY IN THE USE OF**  
29 **ENERGY.**

1           **(C) “GREEN BUSINESS ZONE” MEANS THE PORT TOWNS GREEN**  
2 **BUSINESS ZONE ESTABLISHED UNDER § 13-1202 OF THIS SUBTITLE.**

3 **13-1202.**

4           **(A) THERE IS A PORT TOWNS GREEN BUSINESS ZONE IN PRINCE**  
5 **GEORGE’S COUNTY.**

6           **(B) THE GREEN BUSINESS ZONE COMPRISES THE GEOGRAPHIC AREAS**  
7 **OF THE FOLLOWING MUNICIPAL CORPORATIONS:**

8                   **(1) BLADENSBURG;**

9                   **(2) COLMAR MANOR;**

10                   **(3) COTTAGE CITY; AND**

11                   **(4) EDMONSTON.**

12 **13-1203.**

13           **THE SECRETARY SHALL DESIGNATE A NOT-FOR-PROFIT ENTITY TO**  
14 **DEVELOP JOB TRAINING, INTERNSHIP, AND APPRENTICESHIP PROGRAM**  
15 **STANDARDS THAT A GREEN BUSINESS MUST MEET BEFORE RECEIVING THE**  
16 **INCENTIVES UNDER § 13-1204 OF THIS SUBTITLE.**

17 **13-1204.**

18           **(A) TO THE EXTENT PROVIDED FOR IN THIS SECTION, A GREEN**  
19 **BUSINESS IS ENTITLED TO:**

20                   **(1) THE SPECIAL PROPERTY TAX CREDIT UNDER § 9-103.1 OF**  
21 **THE TAX – PROPERTY ARTICLE; AND**

22                   **(2) THE INCOME TAX CREDITS UNDER § 10-702.1 OF THE TAX –**  
23 **GENERAL ARTICLE.**

24           **(B) A GREEN BUSINESS THAT MOVES INTO OR LOCATES IN THE GREEN**  
25 **BUSINESS ZONE ON OR AFTER JULY 1, 2011, BUT BEFORE JULY 1, 2016, MAY**  
26 **BENEFIT FROM THE INCENTIVES IN THIS SECTION IF:**

27                   **(1) THE GREEN BUSINESS MEETS THE REQUIREMENTS AND**  
28 **CONDITIONS OF THE CODE SECTION APPLICABLE TO EACH INCENTIVE;**

1           **(2) THE NOT-FOR-PROFIT ENTITY DESIGNATED UNDER § 13-1203**  
2 **OF THIS SUBTITLE CERTIFIES THAT THE GREEN BUSINESS HAS COMPLIED WITH**  
3 **THE STANDARDS ESTABLISHED BY THE NOT-FOR-PROFIT ENTITY UNDER §**  
4 **13-1203 OF THIS SUBTITLE; AND**

5           **(3) THE GREEN BUSINESS CREATES NEW OR ADDITIONAL JOBS OR**  
6 **MAKES A CAPITAL INVESTMENT TO QUALIFY FOR THE PROPERTY TAX CREDIT**  
7 **UNDER § 9-103.1 OF THE TAX – PROPERTY ARTICLE AND THE INCOME TAX**  
8 **CREDITS UNDER § 10-702.1 OF THE TAX – GENERAL ARTICLE.**

9           **(C) (1) THE INCENTIVES PROVIDED FOR IN THIS SECTION ARE NOT**  
10 **AVAILABLE TO A GREEN BUSINESS FOR A CAPITAL INVESTMENT MADE BY A**  
11 **GREEN BUSINESS OR AN EXPANSION OF THE LABOR FORCE OF A GREEN**  
12 **BUSINESS THAT OCCURS ON OR AFTER JULY 1, 2016.**

13           **(2) THE INCENTIVES PROVIDED FOR IN THIS SECTION ARE NOT**  
14 **AVAILABLE TO A GREEN BUSINESS THAT WAS IN THE GREEN BUSINESS ZONE**  
15 **BEFORE JULY 1, 2011, EXCEPT FOR A CAPITAL INVESTMENT OR EXPANSION OF**  
16 **ITS LABOR FORCE THAT OCCURS ON OR AFTER JULY 1, 2011, BUT BEFORE JULY**  
17 **1, 2016.**

18           **(D) A LAW ENACTED AFTER THE ENACTMENT OF THIS SECTION THAT**  
19 **ELIMINATES OR REDUCES THE BENEFITS AVAILABLE TO A GREEN BUSINESS**  
20 **UNDER THIS SECTION DOES NOT APPLY TO A BUSINESS THAT, BEFORE THE**  
21 **EFFECTIVE DATE OF THE LAW:**

22           **(1) WAS LOCATED IN THE GREEN BUSINESS ZONE; AND**

23           **(2) MET THE DEFINITION OF A GREEN BUSINESS UNDER §**  
24 **13-1201 OF THIS SUBTITLE.**

25           **(E) (1) (I) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION,**  
26 **A GREEN BUSINESS MAY NOT RECEIVE THE INCENTIVES SET FORTH IN**  
27 **SUBSECTION (A) OF THIS SECTION IF THE BUSINESS IS LOCATED ON LAND OR**  
28 **WITHIN IMPROVEMENTS OWNED BY THE FEDERAL GOVERNMENT, THE STATE, A**  
29 **COUNTY, OR A MUNICIPAL CORPORATION UNLESS THE BUSINESS HAS FIRST**  
30 **UTILIZED ALL APPLICABLE PROPERTY TAX EXEMPTIONS UNDER TITLE 7 OF THE**  
31 **TAX – PROPERTY ARTICLE, INCLUDING ENTERING INTO ANY AVAILABLE**  
32 **PAYMENT IN LIEU OF TAX AGREEMENT.**

33           **(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT**  
34 **APPLY TO A GREEN BUSINESS LEASING LAND OR IMPROVEMENTS OWNED BY**  
35 **THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION.**

1           **(2) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, A**  
2 **GREEN BUSINESS LOCATED IN A BRAC REVITALIZATION AND INCENTIVE ZONE**  
3 **ESTABLISHED UNDER SUBTITLE 13 OF THIS TITLE MAY NOT RECEIVE THE**  
4 **PROPERTY TAX CREDIT UNDER § 9-103.1 OF THE TAX – PROPERTY ARTICLE**  
5 **UNLESS:**

6                   **(I) THE BUSINESS QUALIFIED FOR THE PROPERTY TAX**  
7 **CREDIT BEFORE THE DATE THAT THE BRAC REVITALIZATION AND INCENTIVE**  
8 **ZONE IS DESIGNATED; OR**

9                   **(II) THE POLITICAL SUBDIVISION WHERE THE BUSINESS IS**  
10 **LOCATED EXPRESSLY GRANTS THE PROPERTY TAX CREDIT TO THE BUSINESS.**

11           **(3) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION:**

12                   **(I) A GREEN BUSINESS THAT RECEIVES THE PROPERTY TAX**  
13 **CREDIT UNDER § 9-103 OF THE TAX – PROPERTY ARTICLE IS NOT ENTITLED TO**  
14 **THE PROPERTY TAX CREDIT UNDER § 9-103.1 OF THE TAX – PROPERTY**  
15 **ARTICLE; AND**

16                   **(II) A GREEN BUSINESS THAT RECEIVES THE INCOME TAX**  
17 **CREDITS UNDER § 10-702 OF THE TAX – GENERAL ARTICLE IS NOT ENTITLED**  
18 **TO THE INCOME TAX CREDITS UNDER § 10-702.1 OF THE TAX – GENERAL**  
19 **ARTICLE.**

20 **13-1205.**

21           **(A) THE DEPARTMENT AND THE COMPTROLLER JOINTLY SHALL**  
22 **ASSESS EACH YEAR THE EFFECTIVENESS OF THE TAX CREDITS PROVIDED TO**  
23 **GREEN BUSINESSES IN THE GREEN BUSINESS ZONE, INCLUDING:**

24                   **(1) THE NUMBER AND AMOUNTS OF CREDITS GRANTED EACH**  
25 **YEAR; AND**

26                   **(2) THE SUCCESS OF THE TAX CREDITS IN ATTRACTING AND**  
27 **RETAINING GREEN BUSINESSES IN THE GREEN BUSINESS ZONE.**

28           **(B) ON OR BEFORE DECEMBER 15 EACH YEAR, THE DEPARTMENT AND**  
29 **THE COMPTROLLER SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE**  
30 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**  
31 **ASSEMBLY A REPORT OUTLINING THE FINDINGS OF THE DEPARTMENT AND THE**  
32 **COMPTROLLER AND ANY OTHER INFORMATION OF VALUE IN DETERMINING THE**  
33 **EFFECTIVENESS OF THE TAX CREDITS PROVIDED UNDER § 13-1204 OF THIS**  
34 **SUBTITLE.**

## Article – Tax – General

## 10-702.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ECONOMICALLY DISADVANTAGED INDIVIDUAL” MEANS AN INDIVIDUAL WHO IS CERTIFIED BY PROVISIONS THAT THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION ADOPTS AS AN INDIVIDUAL WHO, BEFORE BECOMING EMPLOYED BY A GREEN BUSINESS IN A GREEN BUSINESS ZONE:

(I) WAS BOTH UNEMPLOYED FOR AT LEAST 30 CONSECUTIVE DAYS AND QUALIFIED TO PARTICIPATE IN TRAINING ACTIVITIES FOR THE ECONOMICALLY DISADVANTAGED UNDER TITLE II, PART B OF THE FEDERAL WORKFORCE INVESTMENT ACT OR ITS SUCCESSOR; OR

(II) IN THE ABSENCE OF AN APPLICABLE FEDERAL ACT, MET THE CRITERIA FOR AN ECONOMICALLY DISADVANTAGED INDIVIDUAL THAT THE SECRETARY OF LABOR, LICENSING, AND REGULATION SETS.

(3) “GREEN BUSINESS” HAS THE MEANING STATED IN § 13-1201 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(4) “GREEN BUSINESS ZONE” HAS THE MEANING STATED IN § 13-1201 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(5) “QUALIFIED EMPLOYEE” MEANS AN INDIVIDUAL WHO:

(I) IS A NEW EMPLOYEE OR AN EMPLOYEE REHIRED AFTER BEING LAID OFF FOR MORE THAN 1 YEAR BY A GREEN BUSINESS;

(II) IS EMPLOYED BY A GREEN BUSINESS AT LEAST 35 HOURS EACH WEEK FOR AT LEAST 6 MONTHS BEFORE OR DURING THE TAXABLE YEAR FOR WHICH THE GREEN BUSINESS CLAIMS A CREDIT;

(III) SPENDS AT LEAST 50% OF THE HOURS UNDER ITEM (II) OF THIS PARAGRAPH, EITHER IN THE GREEN BUSINESS ZONE OR ON ACTIVITIES OF THE GREEN BUSINESS RESULTING DIRECTLY FROM ITS LOCATION IN THE GREEN BUSINESS ZONE;

1 (IV) EARNS AT LEAST 150% OF THE FEDERAL MINIMUM  
2 WAGE; AND

3 (V) IS HIRED BY THE GREEN BUSINESS AFTER THE LATER  
4 OF:

5 1. JULY 1, 2011; OR

6 2. THE DATE ON WHICH THE GREEN BUSINESS  
7 LOCATES IN THE GREEN BUSINESS ZONE.

8 (B) (1) ANY GREEN BUSINESS THAT IS LOCATED IN THE GREEN  
9 BUSINESS ZONE AND SATISFIES THE REQUIREMENTS OF § 13-1204 OF THE  
10 ECONOMIC DEVELOPMENT ARTICLE MAY CLAIM A CREDIT ONLY AGAINST THE  
11 STATE INCOME TAX FOR THE WAGES SPECIFIED IN SUBSECTIONS (C) AND (D) OF  
12 THIS SECTION THAT ARE PAID IN THE TAXABLE YEAR FOR WHICH THE BUSINESS  
13 CLAIMS THE CREDIT.

14 (2) AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER §  
15 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE MAY APPLY THE CREDIT  
16 UNDER THIS SECTION AS A CREDIT AGAINST INCOME TAX DUE ON UNRELATED  
17 BUSINESS TAXABLE INCOME AS PROVIDED UNDER §§ 10-304 AND 10-812 OF  
18 THIS TITLE.

19 (C) FOR THE TAXABLE YEAR IN WHICH A GREEN BUSINESS SATISFIES  
20 THE REQUIREMENTS OF § 13-1204 OF THE ECONOMIC DEVELOPMENT  
21 ARTICLE, A CREDIT IS ALLOWED THAT EQUALS:

22 (1) UP TO \$3,000 OF THE WAGES PAID TO EACH QUALIFIED  
23 EMPLOYEE WHO:

24 (I) IS AN ECONOMICALLY DISADVANTAGED INDIVIDUAL;  
25 AND

26 (II) IS NOT HIRED TO REPLACE AN INDIVIDUAL WHOM THE  
27 GREEN BUSINESS EMPLOYED IN THAT OR ANY OF THE 3 PRECEDING TAXABLE  
28 YEARS; AND

29 (2) UP TO \$1,000 OF THE WAGES PAID TO EACH QUALIFIED  
30 EMPLOYEE WHO:

31 (I) IS NOT AN ECONOMICALLY DISADVANTAGED  
32 INDIVIDUAL; AND

1                   **(II) IS NOT HIRED TO REPLACE AN INDIVIDUAL WHOM THE**  
2 **GREEN BUSINESS EMPLOYED IN THAT OR ANY OF THE 3 PRECEDING TAXABLE**  
3 **YEARS.**

4           **(D) (1) FOR EACH TAXABLE YEAR AFTER THE TAXABLE YEAR**  
5 **DESCRIBED IN SUBSECTION (C) OF THIS SECTION, BUT NOT AFTER DECEMBER**  
6 **31, 2021, A CREDIT IS ALLOWED THAT EQUALS:**

7                   **(I) UP TO \$3,000 OF THE WAGES PAID TO EACH QUALIFIED**  
8 **EMPLOYEE WHO:**

9                           **1. IS AN ECONOMICALLY DISADVANTAGED**  
10 **INDIVIDUAL;**

11                           **2. BECAME A QUALIFIED EMPLOYEE DURING THE**  
12 **TAXABLE YEAR TO WHICH THE CREDIT APPLIES; AND**

13                           **3. IS NOT HIRED TO REPLACE AN INDIVIDUAL WHOM**  
14 **THE GREEN BUSINESS EMPLOYED IN THAT OR ANY OF THE 3 PRECEDING**  
15 **TAXABLE YEARS;**

16                   **(II) UP TO \$2,000 OF THE WAGES PAID TO EACH QUALIFIED**  
17 **EMPLOYEE WHO IS AN ECONOMICALLY DISADVANTAGED INDIVIDUAL, IF THE**  
18 **GREEN BUSINESS RECEIVED A CREDIT UNDER SUBSECTION (C)(1) OF THIS**  
19 **SECTION FOR THE QUALIFIED EMPLOYEE IN THE IMMEDIATELY PRECEDING**  
20 **TAXABLE YEAR; AND**

21                   **(III) UP TO \$1,000 OF THE WAGES PAID TO EACH QUALIFIED**  
22 **EMPLOYEE WHO IS NOT HIRED TO REPLACE AN INDIVIDUAL WHOM THE GREEN**  
23 **BUSINESS EMPLOYED IN THAT OR ANY OF THE 3 PRECEDING TAXABLE YEARS IF**  
24 **THE QUALIFIED EMPLOYEE:**

25                           **1. IS AN ECONOMICALLY DISADVANTAGED**  
26 **INDIVIDUAL FOR WHOM THE GREEN BUSINESS RECEIVED A CREDIT UNDER**  
27 **SUBSECTION (C)(1) OF THIS SECTION OR ITEM (I) OF THIS PARAGRAPH AND A**  
28 **CREDIT UNDER ITEM (II) OF THIS PARAGRAPH IN THE 2 IMMEDIATELY**  
29 **PRECEDING TAXABLE YEARS; OR**

30                           **2. IS NOT AN ECONOMICALLY DISADVANTAGED**  
31 **INDIVIDUAL BUT BECAME A QUALIFIED EMPLOYEE DURING THE TAXABLE YEAR**  
32 **TO WHICH THE CREDIT APPLIES.**

33                   **(2) A GREEN BUSINESS THAT HIRES A QUALIFIED EMPLOYEE TO**  
34 **REPLACE ANOTHER QUALIFIED EMPLOYEE FOR WHOM THE GREEN BUSINESS**



1 RECEIVED A CREDIT UNDER SUBSECTION (C)(1) OF THIS SECTION AND  
2 PARAGRAPH (1)(II) OF THIS SUBSECTION IN THE IMMEDIATELY PRECEDING  
3 TAXABLE YEAR MAY TREAT THE NEW QUALIFIED EMPLOYEE AS THE  
4 REPLACEMENT FOR THE OTHER QUALIFIED EMPLOYEE TO DETERMINE ANY  
5 CREDIT THAT MAY BE AVAILABLE TO THE GREEN BUSINESS UNDER PARAGRAPH  
6 (1)(II) OR (III) OF THIS SUBSECTION.

7 (E) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE  
8 YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, A GREEN  
9 BUSINESS MAY APPLY THE EXCESS AS A CREDIT AGAINST THE STATE INCOME  
10 TAX FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:

11 (1) THE FULL AMOUNT OF THE EXCESS IS USED; OR

12 (2) THE EXPIRATION OF THE 5TH TAXABLE YEAR FROM THE DATE  
13 ON WHICH THE GREEN BUSINESS HIRED THE QUALIFIED EMPLOYEE TO WHOM  
14 THE CREDIT FIRST APPLIES.

15 Article – Tax – Property

16 9-103.1.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
18 MEANINGS INDICATED.

19 (2) “BASE YEAR” MEANS THE TAXABLE YEAR IMMEDIATELY  
20 BEFORE THE TAXABLE YEAR IN WHICH A PROPERTY TAX CREDIT UNDER THIS  
21 SECTION IS TO BE GRANTED.

22 (3) (I) “BASE YEAR VALUE” MEANS THE VALUE OF THE  
23 PROPERTY USED TO DETERMINE THE ASSESSMENT ON WHICH THE PROPERTY  
24 TAX ON REAL PROPERTY WAS IMPOSED FOR THE BASE YEAR.

25 (II) “BASE YEAR VALUE” DOES NOT INCLUDE ANY NEW REAL  
26 PROPERTY THAT WAS FIRST ASSESSED IN THE BASE YEAR.

27 (4) (I) “ELIGIBLE ASSESSMENT” MEANS THE DIFFERENCE  
28 BETWEEN THE BASE YEAR VALUE AND THE ACTUAL VALUE AS DETERMINED BY  
29 THE DEPARTMENT FOR THE APPLICABLE TAXABLE YEAR IN WHICH THE TAX  
30 CREDIT UNDER THIS SECTION IS TO BE GRANTED.

31 (II) FOR A BUSINESS ENTITY THAT IS LOCATED ON LAND OR  
32 WITHIN IMPROVEMENTS OWNED BY THE FEDERAL, STATE, COUNTY, OR  
33 MUNICIPAL GOVERNMENT, “ELIGIBLE ASSESSMENT” MEANS THE DIFFERENCE

1 BETWEEN THE BASE YEAR VALUE AND THE ACTUAL VALUE REDUCED BY THE  
2 VALUE OF ANY PROPERTY ENTITLED TO AN EXEMPTION UNDER TITLE 7 OF THIS  
3 ARTICLE AS DETERMINED BY THE DEPARTMENT FOR THE APPLICABLE TAXABLE  
4 YEAR IN WHICH THE TAX CREDIT UNDER THIS SECTION IS TO BE GRANTED.

5 (5) "GREEN BUSINESS" HAS THE MEANING STATED IN § 13-1201  
6 OF THE ECONOMIC DEVELOPMENT ARTICLE.

7 (6) "GREEN BUSINESS ZONE" HAS THE MEANING STATED IN §  
8 13-1201 OF THE ECONOMIC DEVELOPMENT ARTICLE.

9 (7) "QUALIFIED PROPERTY" MEANS REAL PROPERTY THAT IS:

10 (I) NOT USED FOR RESIDENTIAL PURPOSES;

11 (II) USED IN A TRADE OR BUSINESS BY A GREEN BUSINESS  
12 THAT MEETS THE REQUIREMENTS OF § 13-1204 OF THE ECONOMIC  
13 DEVELOPMENT ARTICLE; AND

14 (III) LOCATED IN THE GREEN BUSINESS ZONE ESTABLISHED  
15 UNDER TITLE 13, SUBTITLE 12 OF THE ECONOMIC DEVELOPMENT ARTICLE.

16 (B) THE GOVERNING BODY OF THE COUNTY OR APPLICABLE MUNICIPAL  
17 CORPORATION SHALL GRANT A TAX CREDIT UNDER THIS SECTION AGAINST THE  
18 PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF QUALIFIED  
19 PROPERTY.

20 (C) (1) THE APPROPRIATE GOVERNING BODY SHALL CALCULATE THE  
21 AMOUNT OF THE TAX CREDIT UNDER THIS SECTION EQUAL TO A PERCENTAGE  
22 OF THE AMOUNT OF PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF  
23 THE QUALIFIED PROPERTY, AS FOLLOWS:

24 (I) 80% IN EACH OF THE 1ST 5 TAXABLE YEARS FOLLOWING  
25 THE CALENDAR YEAR IN WHICH THE PROPERTY INITIALLY BECOMES A  
26 QUALIFIED PROPERTY;

27 (II) 70% IN THE 6TH TAXABLE YEAR;

28 (III) 60% IN THE 7TH TAXABLE YEAR;

29 (IV) 50% IN THE 8TH TAXABLE YEAR;

30 (V) 40% IN THE 9TH TAXABLE YEAR; AND

1                   **(VI) 30% IN THE 10TH TAXABLE YEAR.**

2                   **(2) THE DEPARTMENT SHALL ALLOCATE THE ELIGIBLE**  
3 **ASSESSMENT TO THE NONRESIDENTIAL PART OF THE QUALIFIED PROPERTY AT**  
4 **THE SAME PERCENTAGE AS THE SQUARE FOOTAGE OF THE NONRESIDENTIAL**  
5 **PART IS TO THE TOTAL SQUARE FOOTAGE OF THE BUILDING.**

6                   **(3) FOR PURPOSES OF CALCULATING THE AMOUNT OF THE**  
7 **CREDIT ALLOWED UNDER THIS SECTION, THE AMOUNT OF PROPERTY TAX**  
8 **IMPOSED ON THE ELIGIBLE ASSESSMENT SHALL BE CALCULATED WITHOUT**  
9 **REDUCTION FOR ANY CREDITS ALLOWED UNDER THIS TITLE.**

10                  **(D) (1) A TAX CREDIT UNDER THIS SECTION IS AVAILABLE TO A**  
11 **QUALIFIED PROPERTY FOR NOT MORE THAN 10 CONSECUTIVE YEARS**  
12 **BEGINNING WITH THE TAXABLE YEAR FOLLOWING THE CALENDAR YEAR IN**  
13 **WHICH THE REAL PROPERTY INITIALLY BECOMES A QUALIFIED PROPERTY.**

14                  **(2) STATE PROPERTY TAX IMPOSED ON REAL PROPERTY IS NOT**  
15 **AFFECTED BY THIS SECTION.**

16                  **(E) THE APPROPRIATE GOVERNING BODY SHALL CERTIFY TO THE**  
17 **STATE DEPARTMENT OF ASSESSMENTS AND TAXATION:**

18                   **(1) THE REAL PROPERTIES IN THE GREEN BUSINESS ZONE THAT**  
19 **ARE QUALIFIED PROPERTIES FOR EACH TAXABLE YEAR FOR WHICH THE**  
20 **PROPERTY TAX CREDIT UNDER THIS SECTION IS TO BE GRANTED; AND**

21                   **(2) THE DATE THAT THE REAL PROPERTIES BECAME QUALIFIED**  
22 **PROPERTIES.**

23                  **(F) BEFORE PROPERTY TAX BILLS ARE SENT, THE DEPARTMENT SHALL**  
24 **SUBMIT TO THE APPROPRIATE GOVERNING BODY A LIST OF:**

25                   **(1) EACH QUALIFIED PROPERTY;**

26                   **(2) THE AMOUNT OF THE BASE YEAR VALUE FOR EACH QUALIFIED**  
27 **PROPERTY; AND**

28                   **(3) THE AMOUNT OF THE ELIGIBLE ASSESSMENT FOR EACH**  
29 **QUALIFIED PROPERTY.**

30                  **(G) AS PROVIDED IN THE STATE BUDGET, THE STATE SHALL REMIT TO**  
31 **THE COUNTY AND EACH MUNICIPAL CORPORATION AN AMOUNT EQUAL TO**

1 ONE-HALF OF THE FUNDS THAT WOULD HAVE BEEN COLLECTED IF THE  
2 PROPERTY TAX CREDIT UNDER THIS SECTION HAD NOT BEEN GRANTED.

3 (H) (1) QUARTERLY OR MORE FREQUENTLY, THE COUNTY OR  
4 MUNICIPAL CORPORATION SHALL SUBMIT A REQUEST TO THE DEPARTMENT  
5 FOR THE AMOUNT REQUIRED BY SUBSECTION (G) OF THIS SECTION.

6 (2) WITHIN 5 WORKING DAYS AFTER THE DEPARTMENT  
7 RECEIVES THE REQUEST FROM THE COUNTY OR MUNICIPAL CORPORATION, THE  
8 DEPARTMENT SHALL CERTIFY TO THE COMPTROLLER THE REIMBURSEMENT  
9 DUE TO THE COUNTY OR MUNICIPAL CORPORATION.

10 (3) WITHIN 5 WORKING DAYS AFTER THE COMPTROLLER  
11 RECEIVES THE CERTIFICATION FROM THE DEPARTMENT, THE COMPTROLLER  
12 SHALL REIMBURSE THE COUNTY OR MUNICIPAL CORPORATION.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 July 1, 2011, and shall be applicable to taxable years beginning on or after January 1,  
15 2011. It shall remain effective for a period of 15 years and, at the end of June 30, 2026,  
16 with no further action required by the General Assembly, this Act shall be abrogated  
17 and be of no further force and effect.