

Chapter 338

(House Bill 680)

AN ACT concerning

Baltimore County – Property Tax Credit – Supermarkets

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the personal property tax imposed on personal property of a supermarket that completes certain construction and is located in a certain food desert retail incentive area; requiring the governing body of Baltimore County to designate what constitutes a food desert retail incentive area for purposes of the tax credit; and generally relating to a personal property tax credit for supermarkets in Baltimore County.

BY adding to

Article – Tax – Property

Section 9–305(h)

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

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

Article – Tax – Property

9–305.

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

(II) “ELIGIBLE CONSTRUCTION” MEANS CONSTRUCTION OF A NEW SUPERMARKET OR ANY SUBSTANTIAL RENOVATION OF AN EXISTING SUPERMARKET.

(III) “SUPERMARKET” MEANS A GROCERY STORE THAT HAS:

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

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

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

(2) THE GOVERNING BODY OF BALTIMORE COUNTY MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE COUNTY PERSONAL PROPERTY TAX IMPOSED ON PERSONAL PROPERTY THAT IS OWNED BY A SUPERMARKET THAT:

(I) COMPLETES ELIGIBLE CONSTRUCTION; AND

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

(3) THE GOVERNING BODY OF BALTIMORE COUNTY SHALL, BY LAW, DESIGNATE WHAT CONSTITUTES A FOOD DESERT RETAIL INCENTIVE AREA FOR PURPOSES OF THE TAX CREDIT UNDER THIS SUBSECTION.

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

(5) THE GOVERNING BODY OF BALTIMORE COUNTY MAY ESTABLISH, BY LAW:

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

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

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

(IV) ADDITIONAL CRITERIA FOR WHAT CONSTITUTES ELIGIBLE CONSTRUCTION THAT MAY QUALIFY A SUPERMARKET FOR THE TAX CREDIT UNDER THIS SUBSECTION; AND

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022, and shall be applicable to all taxable years beginning after June 30, 2022.

Approved by the Governor, May 12, 2022.