

1 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

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3
4 **2014 Legislative Session**

5
6 Bill No. 2014-05
7 Chapter. No. 281
8 Introduced by Charles County Commissioners
9 Date of Introduction June 17, 2014

10
11 **BILL**

12
13 AN ACT concerning:

14 Recordation Tax Credit for New or Expanding Businesses.

15 FOR the purpose of:

16 Granting tax credit for targeted businesses against the County recordation tax imposed on
17 instruments of writing transferring property under certain circumstances.

18 BY adding:

19 Chapter 281. Taxation.

20 Section 281.27

21 *Code of Charles County, Maryland*

22 (2013 Edition)

23
24 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES
25 COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

26
27 CHAPTER 281. TAXATION.

28 ARTICLE X. RECORDATION TAX CREDITS.

29
30 **SECTION 281.27. RELOCATING, NEW OR EXPANDING BUSINESS.**

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32 A. PURSUANT TO THE AUTHORITY SET FORTH IN SECTION 12-115, MARYLAND
33 TAX PROPERTY CODE ANNOTATED, TO ENCOURAGE THE FURTHER

1 DEVELOPMENT OF THE BUSINESS BASE IN CHARLES COUNTY, THE
2 GOVERNING BODY OF CHARLES COUNTY MAY GRANT, BY LAW, A
3 RECORDATION TAX CREDIT, IN WHOLE OR IN PART, AGAINST THE
4 RECORDATION TAX IMPOSED ON AN INSTRUMENT OF WRITING WHICH
5 TRANSFERS PROPERTY IN CHARLES COUNTY TO TARGETED BUSINESSES
6 RELOCATING, EXPANDING OR UNDERTAKING NEW CONSTRUCTION.
7

8 B. TO BE ELIGIBLE FOR THE RECORDATION TAX CREDIT, THE BUSINESS
9 ENTITY SHALL:

- 10
- 11 1) BE ENGAGED AS ITS PRIMARY BUSINESS IN RESEARCH AND
12 DEVELOPMENT, TECHNOLOGY, MANUFACTURING, DISTRIBUTION,
13 PROFESSIONAL SERVICES, DEFENSE/FEDERAL CONTRACTING, BIO-
14 TECHNOLOGY, INFORMATION TECHNOLOGY, OR UPSCALE RETAIL
15 ACTIVITIES, OR ANY OTHER INDUSTRY SECTOR TARGETED BY THE
16 ECONOMIC DEVELOPMENT DEPARTMENT AND APPROVED BY THE
17 COUNTY COMMISSIONERS BY RESOLUTION FROM TIME TO TIME;
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 - 19 2) BE RECOMMENDED FOR SAME BY THE DIRECTOR OF ECONOMIC
20 DEVELOPMENT PURSUANT TO TERMS SATISFACTORY TO THE
21 DIRECTOR AND THE COUNTY COMMISSIONERS SPECIFYING THE
22 INVESTMENT AND PROJECTED JOBS TO BE UNDERTAKEN, CREATED
23 OR RETAINED BY THE BUSINESS ENTITY, AND TIMELINE FOR
24 ACCOMPLISHING SUCH;
 - 25 3) PROVIDE INFORMATION SATISFACTORY TO THE DIRECTOR TO
26 DEMONSTRATE A SUBSTANTIAL POSITIVE ECONOMIC AND FISCAL
27 IMPACT ON THE COUNTY; AND
28

- 1 4) MAINTAIN AT LEAST TEN (10) OR MORE NEW PERMANENT FULL-
2 TIME POSITIONS THROUGHOUT THE DURATION SET FORTH IN B.2
3 ABOVE, OR MAKE A CAPITAL INVESTMENT SUFFICIENT TO YIELD A
4 SUBSTANTIAL INCREASE IN ANNUAL COMMERCIAL TAX
5 REVENUE; AND
6 5) DEMONSTRATE TO THE SATISFACTION OF THE DIRECTOR CURRENT
7 AVERAGE AND PROJECTED ANNUAL EMPLOYEE EARNINGS IN
8 EXCESS OF MEDIAN COUNTY EARNINGS.

9
10 C. THE AMOUNT OF THE TAX CREDIT SHALL BE DETERMINED CONSIDERING
11 THE NEEDS OF THE BUSINESS ENTITY, OTHER INCENTIVES OFFERED TO
12 THE BUSINESS ENTITY BY THE COUNTY AND STATE OF MARYLAND, AND
13 POTENTIAL COMPETITION AND INCENTIVES BEING CONSIDERED FROM
14 OTHER JURISDICTIONS.

15
16 D. THE RECORDATION TAX CREDIT GRANTED UNDER THIS SECTION SHALL
17 NOT APPLY TO ANY ENTITY OR PROJECT RECEIVING A FIFTY (50)
18 PERCENT STATE ELECTRICITY GENERATION ASSESSMENT OF
19 OPERATING PROPERTY EXEMPTION, OR THAT IS THE SUBJECT OF A
20 PAYMENT IN LIEU OF TAXES AGREEMENT WITH THE COUNTY.

21
22 E. A RECORDATION TAX CREDIT GRANTED BY THE COUNTY IS NOT A REAL
23 PROPERTY TAX CREDIT.

24
25 F. THE RECORDATION TAX CREDIT SHALL BE APPLICABLE TO RECORDATION
26 TAXES IMPOSED ON TRANSACTIONS AFTER JUNE 30, 2014.

27
28 G. THE RECORDATION TAX CREDIT SHALL BE ADMINISTERED BY THE
29 DIRECTOR OF FISCAL AND ADMINISTRATIVE SERVICES, WHO MAY
30 ADOPT RULES AND REGULATIONS NECESSARY TO PROVIDE FOR THE
31 ORDERLY AND SYSTEMATIC IMPLEMENTATION OF THE RECORDATION
32 TAX CREDIT.

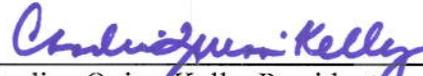
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SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect forty-five (45) calendar days after it becomes law AND SHALL BE RETROACTIVELY EFFECTIVE TO July 1, 2014.

Adopted this 20th day of July, 2014.

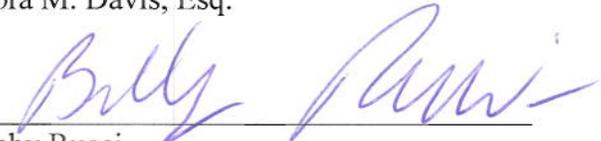
COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND


Candice Quinn Kelly, President


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ATTEST:

Carol DeSoto, Acting Clerk to the Commissioners