THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

July 18, 2023
Legislative Session Day

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July 18, 2023

CODE HOME RULE
BILL NO. 3-2023

INTRODUCED BY: Ronald H. Fithian, President of the Board of County Commissioners for Kent County, Maryland.

AN ACT to amend Chapter 152 Taxation to add Article XI Arts and Entertainment District Property Tax Credit to the Code of Public Local Laws of Kent County, Maryland for the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new, improved, or expanded premises in a certain Arts and Entertainment District in Kent County; providing for the amount and duration of the property tax credit; authorizing the County Commissioners of Kent County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Kent County for real property located in a certain Arts and Entertainment District.

RECEIVED
CLERK, CIRCUIT COURT
2023 SEP 28 P 2:4
KENT COUNTY

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND

Ronnie Fithian
Ronald H. Fithian, President

INTRODUCED, read the first time, July 18, 2023, ordered posted and public hearing scheduled on August 8, 2023, at 10:00 a.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By order of:

Sondra M. Blackiston
Sondra M. Blackiston, Clerk

PUBLIC HEARING

HAVING been posted and notice of the time and place of the hearing and copies having been made available to the public and the press, a public hearing was held on August 8, 2023. Reported favorably ~~[with]~~ without amendments; read the second time and ordered to be considered on September 19, 2023, a legislative session day.

CAPITALS & BOLD INDICATES MATTER ADDED TO EXISTING LAW.
~~Strike through~~ indicates matter deleted from existing law.

A BILL ENTITLED CHR 3-2023 ARTS AND ENTERTAINMENT DISTRICT PROPERTY TAX CREDIT

SECTION 1. NOW THEREFORE BE IT ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND that Chapter 152, Taxation is hereby amended to add Article XI Arts and Entertainment District Property Tax Credit as follows:

ARTICLE XI

ARTS AND ENTERTAINMENT DISTRICT PROPERTY TAX CREDIT

152-41 DEFINITIONS

IN THIS ARTICLE, "ARTS AND ENTERTAINMENT DISTRICT," "ARTS AND ENTERTAINMENT ENTERPRISE," AND "QUALIFYING RESIDING ARTIST" HAVE THE MEANINGS STATED IN § 4-701 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

152-42 TAX CREDIT GRANTED

A. KENT COUNTY GRANTS A TAX CREDIT AGAINST THE COUNTY REAL PROPERTY TAX IMPOSED ON A MANUFACTURING, COMMERCIAL, OR INDUSTRIAL BUILDING THAT:

(1) IS LOCATED IN AN ARTS AND ENTERTAINMENT DISTRICT DESIGNATED AS SUCH UNDER § 4-704 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND; AND

(2) IS WHOLLY OR PARTIALLY CONSTRUCTED OR RENOVATED, AFTER THE DATE OF THE DESIGNATION DESCRIBED ABOVE, TO BE CAPABLE FOR USE BY A QUALIFYING RESIDING ARTIST OR AN ARTS AND ENTERTAINMENT ENTERPRISE.

B. THE REAL PROPERTY TAX CREDIT SHALL BE APPLIED TO THE INCREASE IN ASSESSMENT RESULTING FROM CONSTRUCTION OR RENOVATION AND SHALL BE 100% IN EACH OF THE FOLLOWING FISCAL YEARS NOT TO EXCEED MORE THAN 10 YEARS.

C. AN APPLICATION FOR THE TAX CREDIT CREATED BY THIS ARTICLE SHALL BE FILED BY THE PROPERTY OWNER ON OR BEFORE THE JUNE 1 PRECEDING THE FISCAL YEAR FOR WHICH THE TAX CREDIT IS SOUGHT.

CAPITALS & BOLD INDICATES MATTER ADDED TO EXISTING LAW.
~~Strike through~~ indicates matter deleted from existing law.

D. KENT COUNTY MAY DESIGNATE AN ARTS AND ENTERTAINMENT DISTRICT MANAGER WHO MAY PROMULGATE FORMS FOR APPLICATIONS FOR THE TAX CREDIT HEREUNDER AND MAY REQUIRE SUCH VERIFICATION OF QUALIFICATIONS HEREUNDER AS SUCH OFFICE MAY DEEM APPROPRIATE.

SECTION 2. **BE IT FURTHER ENACTED** by the County Commissioners of Kent County that this Act shall take effect on the 3rd day of November, 2023.

Read Third Time September 19, 2023

PASSED this 19th day of September, 2023.

Failed of Passage _____

By order of:

Sondra M. Blackiston, Clerk

(SEAL)

COUNTY COMMISSIONERS OF KENT CO. SEAL ADOPTED MAY 18, 1880 MARYLAND

THE COUNTY COMMISSIONERS
OF KENT COUNTY, MARYLAND

Ronald H. Fithian, President

Albert H. Nickerson, Member

John F. Price, Member

ORDERED a fair summary thereof or the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.

CAPITALS & BOLD INDICATES MATTER ADDED TO EXISTING LAW.
~~Strike through~~ indicates matter deleted from existing law.