

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2000 Legislative Session

Resolution No. CR-33-2000

Proposed by The Chairman (by request – County Executive)

Introduced by Council Members Scott, Bailey, Estepp, Russell and Wilson

Co-Sponsors _____

Date of Introduction June 20, 2000

RESOLUTION

1 A RESOLUTION concerning

2 High Technology Facilities

3 For the purpose of approving regulations to implement a real property tax credit for certain new
4 or expanding manufacturing, fabrication, assembling or research and development facilities
5 pursuant to Section 10-235.05 of the Prince George's County Code.

6 WHEREAS, the establishment of a real property tax credit for certain new or expanding
7 manufacturing, fabrication, assembling or research and development facilities was authorized by
8 CB-79-1998 pursuant to Chapter 659 of the Laws of Maryland 1998; and

9 WHEREAS, Chapter 659 of the Laws of Maryland 1998 authorized the governing body of
10 a county to grant, by law, a property tax credit against the county property tax imposed on part or
11 all of the property of any manufacturing, fabricating, assembling, or research and development
12 facility that locates or expands in the county or develops a new product or industrial process; and

13 WHEREAS, Section 10-235.05 of the Prince George's County Code establishes a tax credit
14 of a certain amount against the property tax imposed on real property that is used as the premises
15 of manufacturing, fabricating, assembling, or research and development facilities that locate or
16 expand in Prince George's County and meets certain qualifications; and

17 WHEREAS, Section 10-235.05 provides that the County Executive shall propose
18 regulations to implement this tax credit for adoption by resolution of the County Council; and

19 WHEREAS, the County Executive has submitted proposed regulations, the terms of which
20 are consistent with the provisions of Section 10-235.05;

21

1 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
2 County, Maryland, that, pursuant to Section 10-235.05 of the Prince George's County Code, the
3 proposed regulations for the implementation of the high technology facilities tax credit attached
4 hereto and made a part hereof be and the same are hereby approved.

 Adopted this 25th day of July, 2000.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

Regulations for the Administration of the County Real Property Tax Credit pursuant to Section 10-235.05 of the Prince George's County Code

Administration

The Director of Finance will administer the County real property tax credit authorized by Section 10-235.05 of the County Code. The Economic Development Corporation will market the program, and may supply businesses and property owners with an application form approved by the Director of Finance, assist individuals in completing applications, and provide information to applicants and the Director of Finance regarding the County real property tax credit.

Eligibility

A business entity interested in receiving the County real property tax credit shall provide a written description of the nature of the company's business to the Director of Finance and Economic Development Corporation.

For the purposes of this legislation a high-tech company is defined, as it is by the Office of Labor Market Analysis and Information of the Maryland Department of Labor, Licensing, and Regulation (DLLR), as amended, as a business included in the 33 U.S. Standard Industrial Classification (SIC) codes defined at 3 and 4-digit levels of detail. These classifications result in six technology industry clusters, which are: Biotechnology and Biomedical, Information Technology and Services, High Tech Machinery and Instruments, Defense and Aerospace Energy and Chemicals, and High Technology Research. (See Attachment I)

An eligible business entity or business owner is one that constructs a new building or expands an existing building or causes to be constructed or expanded a building or buildings within the County, that increases the gross floor area occupied by an eligible high-tech company or companies in accordance with the criteria set forth in Section 10-235.05(b) of the Prince George's County Code ("County Code").

A minimum investment as set forth in Section 10-235.05(b) of the County Code must be made in the new construction or expansion to an existing building.

Pursuant to Section 10-235.05(b) of the County Code, an eligible business entity must create certain new permanent full-time positions for said business entity to be located within said building or buildings. An eligible business entity shall also provide documentation regarding new positions.

Application Process

- (1) In accordance with Section 10-235.05 of the County Code, the business entity or building owner shall complete an application for the County real property tax credit and include the following information as attachments to the application:
 - (a) A legal description of the property;

- (b) A written description of the nature of the business activity;
 - (c) Floor plans and written documentation demonstrating the construction or expansion of the gross floor area to be occupied by said business entity in accordance with Section 10-235.05(b) of the County Code.
 - (d) Written documentation of the minimum investment as set forth in Section 10-235.05(b) of the County Code for said construction or expansion;
 - (e) A copy of a properly issued, valid Use and Occupancy permit; and
 - (f) Any other such information as the Director of Finance may require to determine whether the applicant may qualify for the County real property tax credit.
- (2) The completed application shall be submitted to the Director of Finance.
 - (3) The Director of Finance shall determine the eligibility of the taxpayer for the County real property tax credit and notify the State Department of Assessments and Taxation that a taxpayer has been approved for the County real property tax credit.
 - (4) The Director of Finance shall verify that the taxpayer continues to satisfy the applicable thresholds to qualify for the County real property tax credit by requiring the submission of reports by the taxpayer, as the Director of Finance deems necessary.
 - (5) In determining the initial or continuing eligibility of the taxpayer, the Director of Finance may ask for the recommendation of the Economic Development Corporation.

ATTACHMENT I

EMPLOYMENT IN MARYLAND HIGH TECHNOLOGY INDUSTRIES

1997 AND 1998

(New Definition)

Industry

BIOTECHNOLOGY AND BIOMEDICAL

Medicinals and botanicals (pharmaceuticals)(283)

Medical Instruments and Supplies (384)

Ophthalmic goods (385)

INFORMATION TECHNOLOGY AND SERVICES

Computer and office equipment (357)

Electronic distribution equipment (361)

Audio and video equipment (365)

Communications equipment (366)

Electronic components and accessories (367)

Communication services, not elsewhere classified (489)

Computer and data processing services (737)

HIGH TECHNOLOGY MACHINERY & INSTRUMENTS

Engines and turbines (351)

Construction and related machinery (353)

General industrial machinery (356)

Electrical industrial apparatus (362)

Household appliances (363)

Electric lighting and wiring (364)

Miscellaneous electrical equipment and supplies (369)

Measuring and controlling devices (382)

Photographic equipment and supplies (386)

DEFENSE AND AEROSPACE

Ordnance and accessories, not elsewhere classified (348)

Aircraft and parts (372)

Guided missiles and space vehicles (376)

Search and navigation equipment (381)

ENERGY AND CHEMICALS

Crude petroleum and natural gas (131)

Industrial inorganic chemicals (281)

Plastic materials and synthetics (282)

Industrial organic chemicals (286)

Miscellaneous chemical products (289)

Petroleum refining (291)

HIGH TECH RESEARCH

Engineering services (8711)

Commercial physical research (8731)

Commercial nonphysical research organizations (8732)

Noncommercial research organizations (8733)