

Expedited Bill No. 55-10  
Concerning: Taxes - Transportation  
Impact Tax - Credits - Amendments  
Revised: 10-21-10 Draft No. 1  
Introduced: October 26, 2010  
Enacted: November 23, 2010  
Executive: December 6, 2010  
Effective: December 6, 2010  
Sunset Date: November 1, 2015  
Ch. 50, Laws of Mont. Co. 2010

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmembers Knapp and Elrich

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**AN EXPEDITED ACT** to:

- (1) modify the credits that apply to the transportation impact tax; and
- (2) generally amend County law regarding impact taxes.

By amending

Montgomery County Code  
Chapter 52, Taxation  
Section 52-55

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 52-55 is amended as follows:**

2   **52-55. Credits.**

3           (a)           \*       \*       \*

4           (2)   [Any credit that was certified before July 1, 2002, for an entity  
5           that received more than \$20 million in credits under this  
6           subsection may be applied to satisfy up to \$2 million worth of  
7           obligations under Policy Area Mobility Review or any successor  
8           policy area transportation test, in addition to impact taxes. This  
9           paragraph is not effective after October 31, 2015.]

10          (A)   An entity that received more than \$20 million in credits  
11               under this subsection that were certified before July 1,  
12               2002, may apply any unused credit to satisfy an obligation  
13               under Policy Area Mobility Review, or any applicable  
14               successor policy area transportation test, if:

15               (i)   the County Executive has identified the project for  
16               which a credit would be applied under this  
17               paragraph as a strategic economic development  
18               project; and

19               (ii) the credit is used before November 1, 2015.

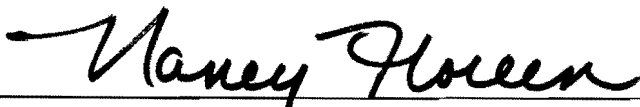
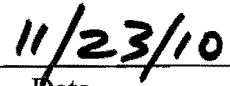
20          (B)   The total of any credits used under this paragraph to satisfy  
21               an obligation under Policy Area Mobility Review, or any  
22               applicable successor policy area transportation test, must  
23               not exceed \$1.7 million.

24                               \*       \*       \*

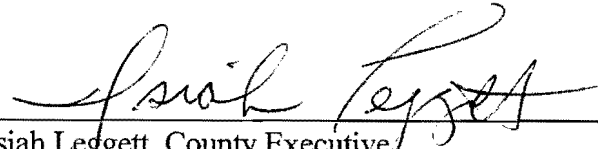
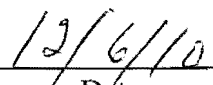
25           **Sec. 2. Expedited Effective Date.**

26           The Council declares that this legislation is necessary for the immediate  
27           protection of the public interest. This Act takes effect on the date when it becomes  
28           law.

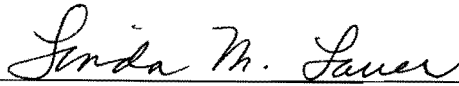
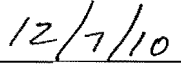
29 *Approved:*

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Nancy Floreen, President, County Council Date

31 *Approved:*

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\_\_\_\_\_  
Isiah Leggett, County Executive Date

33 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council Date