

5-702. SCOPE OF SUBTITLE.

SUBJECT TO § 9-103 OF THE TAX - PROPERTY ARTICLE, A BUSINESS ENTITY THAT OWNS, OPERATES, DEVELOPS, CONSTRUCTS, OR REHABILITATES PROPERTY INTENDED FOR USE PRIMARILY AS SINGLE OR MULTIFAMILY RESIDENTIAL PROPERTY LOCATED IN AN ENTERPRISE ZONE MAY NOT BENEFIT FROM AN INCENTIVE OR INITIATIVE UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83A, § 5-401(c)(2).

This section is restated as a scope provision rather than as an exclusion from the definition of the term "business entity" for clarity.

Defined terms: "Business entity" § 5-701
"Enterprise zone" § 5-701

5-703. ENTERPRISE ZONES — APPLICATION.

(A) IN GENERAL.

THE FOLLOWING POLITICAL SUBDIVISIONS MAY APPLY TO THE SECRETARY TO DESIGNATE AN ENTERPRISE ZONE:

(1) A POLITICAL SUBDIVISION FOR AN AREA WITHIN THAT POLITICAL SUBDIVISION;

(2) WITH THE PRIOR CONSENT OF THE MUNICIPAL CORPORATION, A COUNTY ON BEHALF OF A MUNICIPAL CORPORATION FOR AN AREA IN THE MUNICIPAL CORPORATION; OR

(3) TWO OR MORE POLITICAL SUBDIVISIONS JOINTLY FOR AN AREA ASTRIDE THEIR COMMON BOUNDARIES.

(B) FORM AND CONTENT.

THE APPLICATION SHALL:

(1) BE IN THE FORM AND MANNER AND CONTAIN THE INFORMATION THAT THE SECRETARY REQUIRES BY REGULATION;

(2) CONTAIN SUFFICIENT INFORMATION TO ALLOW THE SECRETARY TO DETERMINE IF THE PROPOSED ENTERPRISE ZONE MEETS THE CRITERIA IN § 5-704 OF THIS SUBTITLE;

(3) BE SUBMITTED FOR A POLITICAL SUBDIVISION BY ITS CHIEF ELECTED OFFICER, OR IF NONE, ITS GOVERNING BODY;

(4) STATE WHETHER THE POLITICAL SUBDIVISION HAS EXAMINED THE FEASIBILITY OF CREATING EDUCATIONAL OR TRAINING OPPORTUNITIES FOR EMPLOYERS AND EMPLOYEES OF BUSINESS ENTITIES LOCATED OR TO BE LOCATED IN THE PROPOSED ENTERPRISE ZONE; AND