

- (1) "QUALIFIED POSITION" MEANS A POSITION THAT:
- (I) IS A FULL-TIME POSITION AND IS OF INDEFINITE DURATION;
  - (II) PAYS AT LEAST 150% OF THE FEDERAL MINIMUM WAGE;
  - (III) IS IN A QUALIFIED DISTRESSED COUNTY;
  - (IV) IS NEWLY CREATED BECAUSE A BUSINESS FACILITY BEGINS OR EXPANDS IN ONE LOCATION IN A QUALIFIED DISTRESSED COUNTY; AND
  - (V) IS FILLED.
- (2) "QUALIFIED POSITION" DOES NOT INCLUDE A POSITION THAT IS:
- (I) CREATED WHEN AN EMPLOYMENT FUNCTION IS SHIFTED FROM AN EXISTING BUSINESS FACILITY OF A BUSINESS ENTITY IN THE STATE TO ANOTHER BUSINESS FACILITY OF THE SAME BUSINESS ENTITY IF THE POSITION IS NOT A NET NEW JOB IN THE STATE;
  - (II) CREATED THROUGH A CHANGE IN OWNERSHIP OF A TRADE OR BUSINESS;
  - (III) CREATED THROUGH A CONSOLIDATION, MERGER, OR RESTRUCTURING OF A BUSINESS ENTITY IF THE POSITION IS NOT A NET NEW JOB IN THE STATE;
  - (IV) CREATED WHEN AN EMPLOYMENT FUNCTION IS CONTRACTUALLY SHIFTED FROM AN EXISTING BUSINESS ENTITY IN THE STATE TO ANOTHER BUSINESS ENTITY IF THE POSITION IS NOT A NET NEW JOB IN THE STATE; OR
  - (V) FILLED FOR A PERIOD OF LESS THAN 12 MONTHS.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 83A, § 5-1501(a)(10).

Defined terms: "Full-time position" § 6-101  
 "Qualified distressed county" § 1-101  
 "State" § 1-101

(H) START-UP TAX CREDIT.

"START-UP TAX CREDIT" MEANS A TAX CREDIT FOR ELIGIBLE START-UP COSTS ALLOWED UNDER § 6-404 OF THIS SUBTITLE.

REVISOR'S NOTE: This subsection is new language added for clarity.

Defined term: "Eligible start-up cost" § 6-401

REVISOR'S NOTE TO SECTION: Former Art. 83A, § 5-1501(a)(2), (3), (5), and (9), which defined "central financial, real estate, or insurance services", "company headquarters", "full-time position", and "qualified employee", respectively, are revised in § 6-101 of this title.

Former Art. 83A, § 5-1501(a)(8) and (11), which defined "qualified