

**CITY OF BALTIMORE
COUNCIL BILL 18-0193
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Baltimore Development Corporation)

Introduced and read first time: February 26, 2018

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Health Department, Baltimore Development Corporation, Department of Real Estate, Department of Finance, Board of Estimates

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Food Desert Incentive Areas – Expenditure Requirements for Tax Credit**

3 FOR the purpose of establishing a new minimum expenditure requirement for substantially
4 renovated supermarkets that is lower than the expenditure requirement for newly constructed
5 supermarkets; and generally relating to the qualifications for a tax credit granted to certain
6 supermarkets in a Food Desert Incentive Area.

7 BY repealing and reordaining, without amendment

8 Article 28 - Taxes

9 Section 10-30(a)(7)

10 Baltimore City Code

11 (Edition 2000)

12 BY repealing and reordaining, with amendments

13 Article 28 - Taxes

14 Section 10-30(b) and (c)

15 Baltimore City Code

16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 **Baltimore City Code**

20 **Article 28. Taxes**

21 **Subtitle 10. Credits**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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§ 10-30. Food Desert Incentive Areas (Personal Property Tax Credit)

(a) *Definitions.*

(7) *Qualified supermarket.*

“Qualified supermarket” means a supermarket that has been newly constructed or newly substantially renovated to meet the qualifications imposed by this subtitle.

(b) *Credit granted.*

In accordance with [state tax-property article § 9–304] STATE TAX-PROPERTY ARTICLE § 9-304(H), a tax credit is granted against the City personal property tax imposed on qualified supermarkets.

(c) *Qualifications for credit.*

To qualify for the credit granted by this section, a qualified supermarket must:

(1) be located in a Food Desert Incentive Area;

(2) have expended on new personal property an amount equal to the greater of:

(i) \$150,000; or

(ii) \$25 per square foot of total floor space;]

(2) [(3)] have at least 500 square feet of total floor space dedicated to the sale of fruits and vegetables; [and]

(3) [(4)] have at least 500 square feet of total floor space dedicated to the sale of other perishable goods, including meat, seafood, and dairy products; AND

(4) HAVE EXPENDED ON NEW PERSONAL PROPERTY:

(I) FOR A NEWLY CONSTRUCTED SUPERMARKET, AN AMOUNT EQUAL TO THE GREATER OF:

(I) \$150,000; OR

(II) \$25 PER SQUARE FOOT OF TOTAL FLOOR SPACE; OR

(II) FOR A NEWLY SUBSTANTIALLY RENOVATED SUPERMARKET, AN AMOUNT BASED ON THE SUPERMARKET’S TOTAL FLOOR SPACE, AS FOLLOWS:

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TOTAL FLOOR SPACE	EXPENDITURE REQUIRED
20,000 SQ. FT. OR LESS	\$5 PER SQUARE FOOT
MORE THAN 20,000 SQ. FT. UP TO 45,000 SQ. FT.	\$8 PER SQUARE FOOT
MORE THAN 45,000 SQ. FT.	\$10 PER SQUARE FOOT

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.