

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 3

Bill No. 13-22

Introduced by Mr. Pruski

By the County Council, January 18, 2022

Introduced and first read on January 18, 2022
Public Hearing set for and held on February 22, 2022
Bill Expires on April 23, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Finance, Taxation, and Budget – Personal Property Tax
2 Credits and Exemptions – Reduction in Assessment – Qualified Data Center Personal
3 Property
4

5 FOR the purpose of defining certain terms; establishing reductions of assessment of
6 qualified data center personal property used in a qualified data center for the purpose
7 of County personal property tax; adding the eligibility requirements for the reduction,
8 the amount of the reduction, and the application process; establishing when the
9 reduction in assessment begins and when the reduction terminates; requiring a certain
10 annual report; and generally relating to finance, taxation, and budget.

11
12 BY adding: § 4-3-104
13 Anne Arundel County Code (2005, as amended)
14

15 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
16 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
17

ARTICLE 4. FINANCE, TAXATION, AND BUDGET

TITLE 3. PERSONAL PROPERTY TAX CREDITS AND EXEMPTIONS

20
21
22 **4-3-104. Reduction in assessment – qualified data center.**
23

24 (A) **Definitions.**

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter repealed from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 (1) IN THIS SECTION, “QUALIFIED DATA CENTER”, “QUALIFIED DATA CENTER
2 PERSONAL PROPERTY”, AND “QUALIFIED POSITION” HAVE THE MEANINGS STATED IN
3 § 11-239 OF THE TAX-GENERAL ARTICLE OF THE STATE CODE.

4
5 (2) “QUALIFIED DATA CENTER” INCLUDES CENTERS IN MULTIPLE LOCATIONS IN
6 ANNE ARUNDEL COUNTY OWNED AND OPERATED BY THE SAME PERSON OR ENTITY.

7
8 (B) **Creation.** PURSUANT TO § 7-248 OF THE TAX-PROPERTY ARTICLE OF THE STATE
9 CODE, ASSESSMENTS OF QUALIFIED DATA CENTER PERSONAL PROPERTY USED IN A
10 QUALIFIED DATA CENTER SUBJECT TO COUNTY PROPERTY TAX MAY BE REDUCED AS
11 SET FORTH IN SUBSECTION (C).

12
13 (C) **Eligibility; duration; amount of reduction in assessment.** QUALIFIED DATA
14 CENTER PERSONAL PROPERTY USED IN A QUALIFIED DATA CENTER WITH AT LEAST \$10
15 MILLION OF TOTAL INVESTMENT IN THE QUALIFIED DATA CENTER AND THAT CREATED
16 A TOTAL OF AT LEAST 10 QUALIFIED POSITIONS MAY QUALIFY FOR A 15-YEAR
17 REDUCTION IN ASSESSMENT FOR PURPOSES OF COUNTY PERSONAL PROPERTY TAXES AS
18 FOLLOWS:

19
20 (1) A 100% REDUCTION IN ASSESSMENT FOR THE FIRST FIVE TAXABLE YEARS;
21 AND

22
23 (2) A 50% REDUCTION IN ASSESSMENT FOR YEARS 6 THROUGH 15.

24
25 (D) **Application or renewal.**

26
27 (1) THE OFFICE OF FINANCE AND THE ANNE ARUNDEL COUNTY ECONOMIC
28 DEVELOPMENT CORPORATION SHALL DEVELOP AN APPLICATION FORM AND ESTABLISH
29 PROCEDURES TO ADMINISTER THE PERSONAL PROPERTY TAX ASSESSMENT REDUCTION
30 UNDER THIS SECTION. AT A MINIMUM, THE APPLICATION FORM SHALL REQUIRE:

31
32 (I) THE QUALIFIED DATA CENTER TO PROVIDE A COPY OF THE PERSONAL
33 PROPERTY TAX RETURN FILED WITH THE STATE DEPARTMENT OF ASSESSMENTS AND
34 TAXATION; AND

35
36 (II) CERTIFICATION FROM THE QUALIFIED DATA CENTER AS TO THE AMOUNT
37 OF THE INVESTMENT AND THE NUMBER OF QUALIFIED POSITIONS.

38
39 (2) AN APPLICATION FOR, OR RENEWAL OF, THE REDUCTION IN ASSESSMENT
40 SHALL BE FILED NO LATER THAN APRIL 15 IMMEDIATELY BEFORE THE TAXABLE YEAR
41 FOR WHICH THE REDUCTION IN ASSESSMENT IS SOUGHT. IF THE APPLICATION OR
42 RENEWAL IS FILED AFTER APRIL 15, THE REDUCTION IN ASSESSMENT SHALL BE
43 DISALLOWED FOR THE TAX YEAR BEING APPLIED FOR BUT SHALL BE TREATED AS AN
44 APPLICATION OR RENEWAL FOR REDUCTION IN ASSESSMENT FOR THE FOLLOWING
45 TAXABLE YEAR.

46
47 (3) THE SUBMITTED APPLICATION SHALL BE REVIEWED AND APPROVED OR
48 REJECTED BY THE OFFICE OF FINANCE AND THE ANNE ARUNDEL COUNTY ECONOMIC
49 DEVELOPMENT CORPORATION.

50
51 (E) **Term.**

52
53 (1) THE TERM OF THE REDUCTION IN ASSESSMENT BEGINS IN THE TAX YEAR FOR
54 WHICH THE APPLICATION IS FIRST APPROVED.

55
56 (2) THE TERM OF THE REDUCTION IN ASSESSMENT DOES NOT RESTART WITH
57 ADDITIONAL INVESTMENT IN QUALIFIED DATA CENTER PERSONAL PROPERTY OR THE
58 ADDITION OF QUALIFIED POSITIONS.

1 (F) **Termination.** THE REDUCTION OF ASSESSMENT TERMINATES UPON THE EARLIER
2 OF THE FOLLOWING:

3
4 (1) THE REQUIRED INVESTMENT IS NO LONGER MET;

5
6 (2) THE REQUIRED NUMBER OF QUALIFIED POSITIONS IS NO LONGER MET; OR

7
8 (3) THE QUALIFIED DATA CENTER IS NO LONGER DOING BUSINESS IN THE
9 COUNTY.

10
11 (G) **Annual report.**

12
13 (1) BY SEPTEMBER 1 OF EACH YEAR, THE ANNE ARUNDEL ECONOMIC
14 DEVELOPMENT CORPORATION SHALL REPORT TO THE COUNTY EXECUTIVE AND THE
15 COUNTY COUNCIL ON THE IMPLEMENTATION OF THE PERSONAL PROPERTY
16 ASSESSMENT REDUCTION UNDER THIS SECTION.

17
18 (2) THE REPORT SHALL INCLUDE, FOR EACH QUALIFIED DATA CENTER RECEIVING
19 A REDUCTION IN ASSESSMENT DURING THE PREVIOUS FISCAL YEAR:

20
21 (I) THE NAME OF THE RECIPIENT;

22
23 (II) THE NUMBER OF QUALIFIED POSITIONS CREATED AND CURRENTLY
24 OCCUPIED AS A RESULT OF THE ACTIVITY THAT QUALIFIED THE RECIPIENT FOR THE
25 REDUCTION IN ASSESSMENT; AND

26
27 (III) THE AMOUNT OF THE REDUCTION OF THE COUNTY'S PERSONAL
28 PROPERTY TAX RESULTING FROM THE REDUCTION OF ASSESSMENT.

29
30 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
31 from the date it becomes law.

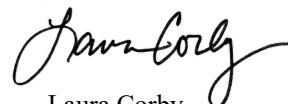
READ AND PASSED this 22nd day of February, 2022

By Order:



Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 23rd day of February, 2022



Laura Corby
Administrative Officer

Bill No. 13-22
Page No. 4

APPROVED AND ENACTED this 28th day of February, 2022



Steuart Pittman
County Executive

EFFECTIVE DATE: April 14, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 13-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Laura Corby
Administrative Officer