

SB0849/599431/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 849  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Property**” insert “**Baltimore–Washington International Thurgood Marshall Airport** –”; in the same line, strike “– **Airport Noise Zones – Eligibility**” and substitute “**and Rental or Use of Motor Vehicles**”; strike beginning with “clarifying” in line 5 down through “zone;” in line 8 and substitute “authorizing the governing body of a county or municipal corporation to choose to provide the tax credit only within a certain noise contour; authorizing the governing body of a county or municipal corporation to vary the amount of the credit based on where the property is situated within the airport noise zone under certain circumstances; authorizing the Maryland Aviation Administration in carrying out certain duties at a certain airport to treat certain services in a certain manner and enforce certain rules and regulations within a certain area; making a stylistic change;”; in line 8, after “of” insert “certain provisions of”; in line 9, strike “a property tax credit for residential property situated within an airport noise zone” and substitute “properties surrounding and activities at a certain airport”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 5-408

Annotated Code of Maryland

(2020 Replacement Volume)”.

On page 2, in line 9, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; strike beginning with “shall” in line 9 down through “and” in line 10; and after line 10, insert:

(Over)

**SB0849/599431/1 Budget and Taxation Committee  
Amendments to SB 849  
Page 2 of 5**

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2021.”.

AMENDMENT NO. 2

On page 1, after line 25, insert:

“(B) THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL CORPORATION MAY CHOOSE TO PROVIDE THE TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION ONLY WITHIN A SMALLER NOISE CONTOUR THAN THE 65 LDN NOISE CONTOUR.”.

On page 2, in line 1, strike “(b)” and substitute “(C)”; in line 3, after “(1)” insert “SUBJECT TO SUBSECTION (D) OF THIS SECTION,”; strike beginning with “,” in line 4 down through “ZONE” in line 6; and after line 8, insert:

“(D) IF THE GOVERNING BODY OF A COUNTY OR OF A MUNICIPAL CORPORATION PROVIDES THE TAX CREDIT UNDER SUBSECTION (A) OF THIS SECTION TO PROPERTY LOCATED OUTSIDE THE 75 LDN NOISE CONTOUR, THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION MAY VARY THE AMOUNT OF THE CREDIT BASED ON WHERE THE PROPERTY IS SITUATED WITHIN THE AIRPORT NOISE ZONE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

5-408.

(a) In its operation of an airport, airport facility, or air navigation facility owned or controlled by this State, the Administration, with the approval of the Secretary

**SB0849/599431/1 Budget and Taxation Committee**  
**Amendments to SB 849**  
**Page 3 of 5**

and subject to the direction of the Commission, may contract, lease, or otherwise arrange with any person to:

(1) Provide the person with services furnished by the Administration or its agents at the airport or facility; or

(2) Grant to the person the privilege of:

(i) Using or improving for commercial purposes any part of the airport or facility; or

(ii) Supplying services, facilities, goods, commodities, or other things at the airport or facility.

(b) (1) For the privileges granted, the Administration may establish any terms and conditions and fix any charges, rentals, or fees that:

(i) Are reasonable and uniform for the same class of privilege or service;

(ii) Are established with due regard to the property and improvements used and the expenses of operation to this State; and

(iii) Do not deprive the public of its rightful, equal, and uniform use of any part of the airport or facility.

(2) The Administration shall monitor the charges, fees, or prices of any goods or services offered to the public by persons granted the privilege under this section. Every contract, lease, or other arrangement shall provide that charges, fees, or prices:

(Over)

**SB0849/599431/1 Budget and Taxation Committee**  
**Amendments to SB 849**  
**Page 4 of 5**

(i) May not be increased without the prior approval of the Administration; and

(ii) Are to be reasonable. In determining reasonableness the Administration shall consider the charges, fees, or prices for the same goods or services at comparable airports.

(3) The Administration shall:

(i) Monitor the employment practices under Title 20, Subtitle 6 of the State Government Article of persons granted privileges under this section; and

(ii) Refer for investigation all alleged violations of § 20–606 of the State Government Article to the Commission on Civil Rights, the Equal Employment Opportunity Commission, or any appropriate State or federal administrative body.

(c) (1) In this subsection, “commercial activity” means the sale, merchandising, marketing, or promotion of any goods or services.

(2) Commercial activity is [permitted] ALLOWED at an airport operated by the Administration only when expressly authorized by and in a manner prescribed by the Administration.

**(D) IN CARRYING OUT ITS POWERS AND DUTIES UNDER THIS SECTION AT BALTIMORE–WASHINGTON INTERNATIONAL THURGOOD MARSHALL AIRPORT WITH RESPECT TO THE OFFER FOR RENTAL OR USE OF A MOTOR VEHICLE BY A RENTAL VEHICLE COMPANY, AS DEFINED IN § 18–108 OF THIS ARTICLE, OR A PEER–TO–PEER CAR SHARING PROGRAM, AS DEFINED IN § 19–520 OF THE INSURANCE ARTICLE, THE ADMINISTRATION MAY:**

**(1) TREAT LIKE SERVICES AS BEING OF THE SAME CLASS; AND**

**(2) ENFORCE RULES AND REGULATIONS ON THE COMMERCIAL  
ACTIVITY DESCRIBED IN THIS SUBSECTION WITHIN A 7-MILE RADIUS OF THE  
MAIN TERMINAL.”.**