



Larry Hogan | Governor
Boyd Rutherford | Lt. Governor
Kelly M. Schulz | Secretary of Commerce

Date: January 28, 2020
BILL NO.: House Bill 45
TITLE: Economic Development – Opportunity Zone Incentives – Alteration of the More Jobs for Marylanders and Opportunity Zone Enhancement Programs
COMMITTEE: House Ways & Means

Statement of Information

House Bill 45 makes alterations to two programs administered by the Department of Commerce (Commerce), the More Jobs for Marylanders program and the Opportunity Zone Enhancement Program.

HB 45 alters these two programs in the following ways:

- Adds golf courses or country clubs, tanning salons, massage parlors and bail bondsmen to the list of businesses that do not qualify for the More Jobs for Marylanders program.
- In order to qualify for the Opportunity Zone Enhancement Program a business is required to provide an impact report including qualitative and quantitative data on the investment. HB 45 would add specific information to be included in this, as applicable, including: creating and retaining jobs, promoting entrepreneurship, including among women and minority owned businesses, providing affordable housing, creating access to healthy food, promoting environmental sustainability and how the investment benefits the communities in the zone in any other manner. Under the original statute, the impact report was not specific, but Commerce has included some of these measures in the program's application.
- Requires that Qualified Opportunity Zone Businesses in counties that have a minimum wage greater than the state minimum wage pay at least 120% of the county minimum wage to qualify.
- Limits the enhancements to tax years prior to January 1, 2022.
- Requires that the information published on Commerce's website be itemized by fund and summarized in aggregate.
- Enhancements for the Bio and Cyber investor tax credits are only available to Qualified Maryland Bio or Cyber Companies that locate or expand in the Opportunity Zone after March 1, 2018. This would limit the companies that a fund could invest in in order to qualify for the program.
- Lastly, this legislation would remove the definition of Opportunity Zone included under 9-110 of the Tax Property Article. Commerce's does not believe this would impact the program, so it is unclear what the purpose of this change is.

Chapter 211, Acts of 2019, expanded the existing More Jobs for Marylanders program and created the Opportunity Zone Enhancement program. Over the last several months, Commerce implemented these changes and the programs are now fully operational.