

Amendment No. 1 to Council Resolution No. 140-2021

BY: Deb Jung

Legislative Day 4
Date: February 7, 2022

Amendment No. 1

(This amendment alters the percentage of real property taxes and personal property taxes exempted depending on the amount of energy generated that is subscribed to customers located in Howard County; requires the Facility Owner to submit an Annual Report to the County Council; and requires the Facility Owner to permit the County or any of its authorized agents to inspect the records of the Facility Owner to verify the Facility Owner's compliance with the Agreement.)

1 On page 2, after line 19, insert:

2 **“BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF HOWARD COUNTY,**
3 **MARYLAND THAT AS A CONDITION OF THE APPROVAL AND AUTHORIZATION HEREIN, THE**
4 **AGREEMENT SHALL INCORPORATE THE FOLLOWING REAL AND PERSONAL PROPERTY TAX**
5 **EXEMPTION PROVISIONS:**

6 **(I) IF 50% OR MORE OF THE ENERGY GENERATED IS SUBSCRIBED TO CUSTOMERS LOCATED IN**
7 **HOWARD COUNTY, THE COUNTY SHALL EXEMPT, UPON THE CONDITION THAT THE LANDOWNER**
8 **OR FACILITY OWNER, AS APPROPRIATE, PAY TO THE COUNTY \$1 PER YEAR IN LIEU OF SUCH**
9 **EXEMPTED TAXES:**

10 **1. 100% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 1 THROUGH 10 OF**
11 **THE AGREEMENT;**

12 **2. 50% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 11 THROUGH 20 OF**
13 **THE AGREEMENT;**

1 3. 50% OF ALL REAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 1 THROUGH 10 OF THE
2 AGREEMENT; AND

3 4. 25% OF ALL REAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 11 THROUGH 20 OF THE
4 AGREEMENT.

5 (II) IF LESS THAN 50% OF THE ENERGY GENERATED IS SUBSCRIBED TO CUSTOMERS LOCATED IN
6 HOWARD COUNTY, THE COUNTY SHALL EXEMPT, UPON THE CONDITION THAT THE LANDOWNER
7 OR FACILITY OWNER, AS APPROPRIATE, PAY TO THE COUNTY \$1 PER YEAR IN LIEU OF SUCH
8 EXEMPTED TAXES:

9 1. 75% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 1 THROUGH 10 OF THE
10 AGREEMENT;

11 2. 25% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 11 THROUGH 20 OF
12 THE AGREEMENT.

13 3. 37.5% OF ALL REAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 1 THROUGH 10 OF THE
14 AGREEMENT; AND

15 4. 12.5% OF ALL REAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 11 THROUGH 20 OF THE
16 AGREEMENT.

17 **BE IT FURTHER RESOLVED** BY THE COUNTY COUNCIL OF HOWARD COUNTY,
18 MARYLAND THAT AS A CONDITION OF THE APPROVAL AND AUTHORIZATION HEREIN, THE
19 AGREEMENT SHALL REQUIRE THE FACILITY OWNER TO SUBMIT AN ANNUAL REPORT ON OR
20 BEFORE DECEMBER 1 TO THE COUNTY COUNCIL IN YEARS 1 THROUGH 20 OF THE AGREEMENT
21 THAT INCLUDES: 1) THE TOTAL NUMBER OF SUBSCRIBERS; AND 2) THE AMOUNT AND
22 PERCENTAGE OF ELECTRICITY GENERATED FOR SUBSCRIBERS LOCATED IN HOWARD COUNTY
23 AND OUTSIDE OF HOWARD COUNTY. FOLLOWING THE ANNUAL REPORT FOR YEAR 1 OF THE
24 AGREEMENT, THE FACILITY OWNER MAY SUBMIT AN AFFIDAVIT CONFIRMING THAT THE TOTAL
25 NUMBER OF SUBSCRIBERS AND THE PERCENTAGE OF ELECTRICITY SUBSCRIBED TO CUSTOMERS
26 IN HOWARD COUNTY HAS NOT CHANGED FROM THE PREVIOUS YEAR.

27 **BE IT FURTHER RESOLVED** BY THE COUNTY COUNCIL OF HOWARD COUNTY,
28 MARYLAND THAT AS A CONDITION OF THE APPROVAL AND AUTHORIZATION HEREIN, THE
29 AGREEMENT SHALL REQUIRE THE FACILITY OWNER TO PERMIT THE COUNTY OR ANY OF ITS

1 AUTHORIZED AGENTS TO INSPECT THE RECORDS OF THE FACILITY OWNER IN ORDER TO VERIFY
2 THE COMPLIANCE OF THE FACILITY OWNER WITH THE AGREEMENT.”