

Amendment No. 1 to Council Resolution No. 142-2021

BY: Deb Jung

**Legislative Day 4
Date: February 7, 2022**

Amendment No. 1

(This amendment alters the percentage of 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 PERSONAL PROPERTY TAX EXEMPTION
5 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 FACILITY
8 OWNER PAY TO THE COUNTY \$1 PER YEAR IN LIEU OF SUCH EXEMPTED TAXES:

9 1. 100% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 1 THROUGH 10 OF
10 THE AGREEMENT; AND

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

13 (II) IF LESS THAN 50% OF THE ENERGY GENERATED IS SUBSCRIBED TO CUSTOMERS LOCATED IN
14 HOWARD COUNTY, THE COUNTY SHALL EXEMPT, UPON THE CONDITION THAT THE FACILITY
15 OWNER PAY TO THE COUNTY \$1 PER YEAR IN LIEU OF SUCH EXEMPTED TAXES:

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

3 2. 25% OF ALL PERSONAL PROPERTY TAXES FOR THE PROPERTY IN YEARS 11 THROUGH 20 OF
4 THE AGREEMENT.

5 **BE IT FURTHER RESOLVED** BY THE COUNTY COUNCIL OF HOWARD COUNTY,
6 MARYLAND THAT AS A CONDITION OF THE APPROVAL AND AUTHORIZATION HEREIN, THE
7 AGREEMENT SHALL REQUIRE THE FACILITY OWNER TO SUBMIT AN ANNUAL REPORT ON OR
8 BEFORE DECEMBER 1 TO THE COUNTY COUNCIL IN YEARS 1 THROUGH 20 OF THE AGREEMENT
9 THAT INCLUDES: 1) THE TOTAL NUMBER OF SUBSCRIBERS; AND 2) THE AMOUNT AND
10 PERCENTAGE OF ELECTRICITY GENERATED FOR SUBSCRIBERS LOCATED IN HOWARD COUNTY
11 AND OUTSIDE OF HOWARD COUNTY. FOLLOWING THE ANNUAL REPORT FOR YEAR 1 OF THE
12 AGREEMENT, THE FACILITY OWNER MAY SUBMIT AN AFFIDAVIT CONFIRMING THAT THE TOTAL
13 NUMBER OF SUBSCRIBERS AND THE PERCENTAGE OF ELECTRICITY SUBSCRIBED TO CUSTOMERS
14 IN HOWARD COUNTY HAS NOT CHANGED FROM THE PREVIOUS YEAR.

15 **BE IT FURTHER RESOLVED** BY THE COUNTY COUNCIL OF HOWARD COUNTY,
16 MARYLAND THAT AS A CONDITION OF THE APPROVAL AND AUTHORIZATION HEREIN, THE
17 AGREEMENT SHALL REQUIRE THE FACILITY OWNER TO PERMIT THE COUNTY OR ANY OF ITS
18 AUTHORIZED AGENTS TO INSPECT THE RECORDS OF THE FACILITY OWNER IN ORDER TO VERIFY
19 THE COMPLIANCE OF THE FACILITY OWNER WITH THE AGREEMENT.”.