

SENATE BILL 320

M3, Q3
SB 70/21 – EHE

2lr1966
CF 2lr1965

By: **Senator Patterson**

Introduced and read first time: January 20, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Mold Inspections and Remediation – Standards, Reporting, Penalties, and Tax**
3 **Credit**

4 FOR the purpose of requiring the Department of the Environment, in consultation with the
5 Maryland Department of Health, the Department of Housing and Community
6 Development, and the Department of General Services, to adopt certain regulations
7 on or before a certain date establishing uniform standards for mold assessment and
8 remediation; authorizing a tenant to deposit the tenant’s rent in an escrow account
9 if the tenant’s landlord fails to comply with the requirements of this Act; prohibiting
10 a lessee from being evicted, the tenancy from being terminated, and the rent from
11 being raised for a lessee who seeks a remedy under this Act; allowing, for certain
12 taxable years, a credit against the State income tax for taxpayers of single family
13 and multifamily residential properties who incur costs for certain mold remediation
14 performed on the property and obtain a tax credit certificate from the Department of
15 the Environment; and generally relating to the establishment of standards and
16 reporting requirements for mold in rental dwelling units and an income tax credit
17 for mold remediation.

18 BY adding to

19 Article – Environment

20 Section 6–1701 and 6–1702 to be under the new subtitle “Subtitle 17. Mold”

21 Annotated Code of Maryland

22 (2013 Replacement Volume and 2021 Supplement)

23 BY adding to

24 Article – Real Property

25 Section 8–211.2

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2021 Supplement)

28 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Tax – General
2 Section 10–754
3 Annotated Code of Maryland
4 (2016 Replacement Volume and 2021 Supplement)

5 Preamble

6 WHEREAS, There are State laws to protect Marylanders from the impact of
7 exposure to the environmental hazards of radon, asbestos, lead-based paint, and methane
8 when they are found in the home but not to protect Marylanders from the harmful effects
9 of exposure to mold; and

10 WHEREAS, The health effects caused by exposure to mold include chronic lung
11 disease, immune system deficiencies, increased risk of infection, skin rash, coughing,
12 wheezing, and burning eyes; and

13 WHEREAS, Currently, at least 15 states and the District of Columbia have indoor
14 air quality mold regulations, including states with high levels of moisture and humidity
15 such as Florida and Louisiana; now, therefore,

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 Article – Environment

19 SUBTITLE 17. MOLD.

20 6–1701.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) “DAMPNESS” MEANS ABNORMAL MOISTURE IN THE INTERIOR OF A
24 FACILITY, INCLUDING:

25 (1) EXCESSIVE HUMIDITY LEVELS;

26 (2) LINGERING CONDENSATION;

27 (3) LEAKS;

28 (4) WATER DAMAGE; AND

29 (5) MUSTY OR MOLDY ODORS.

1 (C) "LICENSED HOME INSPECTOR" HAS THE MEANING STATED IN § 16-101
2 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

3 (D) (1) "MOLD" MEANS A FORM OF MULTICELLULAR FUNGI THAT LIVES:

4 (I) ON PLANT OR ANIMAL MATTER; OR

5 (II) IN AN INDOOR ENVIRONMENT.

6 (2) "MOLD" INCLUDES:

7 (I) ALTERNARIA;

8 (II) ASPERGILLUS;

9 (III) CLADOSPORIUM;

10 (IV) FUSARIUM;

11 (V) MEMNONIELLA;

12 (VI) MUCOR;

13 (VII) PENICILLIUM;

14 (VIII) STACHYBOTRYS CHARTARUM; AND

15 (IX) TRICHODERMA.

16 (E) "MOLD ASSESSMENT" MEANS:

17 (1) AN INSPECTION, AN INVESTIGATION, OR A SURVEY OF A
18 DWELLING OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE OWNER
19 REGARDING THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD;

20 (2) THE DEVELOPMENT OF A MOLD MANAGEMENT PLAN; OR

21 (3) THE COLLECTION OR ANALYSIS OF A MOLD SAMPLE.

22 (F) "MOLD HAZARD" MEANS AN ADVERSE HUMAN HEALTH EFFECT
23 ASSOCIATED WITH MOLD EXPOSURE, INCLUDING:

24 (1) ALLERGIC REACTIONS;

1 **(2) ASTHMA; AND**

2 **(3) OTHER RESPIRATORY COMPLAINTS.**

3 **(G) “MOLD REMEDIATION” MEANS:**

4 **(1) REMOVING, CLEANING, SANITIZING, DEMOLISHING, OR ANY**
5 **OTHER TREATMENT PERFORMED TO ADDRESS A MOLD HAZARD, MOLD, OR**
6 **DAMPNESS; OR**

7 **(2) ABATEMENT OF THE UNDERLYING CAUSE OF A MOLD HAZARD,**
8 **MOLD, OR DAMPNESS.**

9 **(H) (1) “RENTAL DWELLING UNIT” MEANS A ROOM OR GROUP OF ROOMS**
10 **THAT FORM A SINGLE INDEPENDENT HABITABLE RENTAL UNIT FOR PERMANENT**
11 **OCCUPATION BY ONE OR MORE INDIVIDUALS THAT HAS LIVING FACILITIES**
12 **EQUIPPED WITH PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING,**
13 **COOKING, AND SANITATION.**

14 **(2) “RENTAL DWELLING UNIT” DOES NOT INCLUDE:**

15 **(I) AN AREA NOT USED FOR LIVING, SLEEPING, EATING,**
16 **COOKING, OR SANITATION, SUCH AS AN UNFINISHED BASEMENT;**

17 **(II) A UNIT WITHIN A HOTEL, MOTEL, OR SIMILAR SEASONAL OR**
18 **TRANSIENT FACILITY;**

19 **(III) AN AREA WHICH IS SECURED AND INACCESSIBLE TO**
20 **OCCUPANTS; OR**

21 **(IV) A UNIT WHICH IS NOT OFFERED FOR RENT.**

22 **6-1702.**

23 **(A) ON OR BEFORE JUNE 1, 2024, THE DEPARTMENT, IN CONSULTATION**
24 **WITH THE MARYLAND DEPARTMENT OF HEALTH, THE DEPARTMENT OF HOUSING**
25 **AND COMMUNITY DEVELOPMENT, AND THE DEPARTMENT OF GENERAL SERVICES,**
26 **SHALL ADOPT REGULATIONS ESTABLISHING UNIFORM STANDARDS FOR MOLD**
27 **ASSESSMENT AND REMEDIATION.**

28 **(B) THE REGULATIONS ADOPTED UNDER THIS SECTION SHALL:**

1 **(1) ESTABLISH STANDARDS FOR:**

2 **(I) IDENTIFYING AND EVALUATING THE PRESENCE OF MOLD,**
3 **INCLUDING VISIBLE MOLD INSPECTION AND TESTING;**

4 **(II) MOLD AIR SAMPLE ANALYSES IN ACCORDANCE WITH THE**
5 **STANDARDS OF:**

6 **1. THE ENVIRONMENTAL MICROBIOLOGY**
7 **LABORATORY ACCREDITATION PROGRAM AT THE AMERICAN INDUSTRIAL**
8 **HYGIENE ASSOCIATION;**

9 **2. THE AMERICAN INDOOR AIR QUALITY COUNCIL; OR**

10 **3. ANY OTHER NATIONALLY RECOGNIZED**
11 **ACCREDITATION ENTITY THAT OPERATES INDEPENDENTLY OF INDUSTRY TRADE**
12 **ASSOCIATIONS;**

13 **(III) BULK OR SURFACE MOLD SAMPLE ANALYSES CONDUCTED**
14 **IN ACCORDANCE WITH THE STANDARDS OF:**

15 **1. THE AMERICAN INDUSTRIAL HYGIENE**
16 **ASSOCIATION;**

17 **2. THE AMERICAN CONFERENCE OF GOVERNMENTAL**
18 **INDUSTRIAL HYGIENISTS; OR**

19 **3. A SIMILAR NATIONALLY RECOGNIZED PROFESSIONAL**
20 **ORGANIZATION;**

21 **(IV) VISIBLE MOLD INSPECTIONS TO ASSESS THE PRESENCE OF**
22 **ANY VISIBLE WATER DAMAGE OR DAMPNES ON SURFACES, INCLUDING CEILING**
23 **TILES AND GYPSUM WALLBOARD; AND**

24 **(V) MOLD REMEDIATION IN ACCORDANCE WITH THE U.S.**
25 **ENVIRONMENTAL PROTECTION AGENCY’S 2008 MOLD REMEDIATION IN SCHOOLS**
26 **AND COMMERCIAL BUILDINGS GUIDELINES AS REVISED AND UPDATED;**

27 **(2) ESTABLISH A RISK REDUCTION STANDARD FOR MOLD HAZARDS;**

28 **(3) REQUIRE A LOCAL JURISDICTION TO:**

29 **(I) CONDUCT VISUAL INSPECTIONS TO IDENTIFY POTENTIAL**

1 MOLD IN RENTAL DWELLING UNITS WITHIN THE JURISDICTION AS OFTEN AS
2 NECESSARY TO COMPLY WITH THE MINIMUM PROPERTY MAINTENANCE STANDARDS
3 ESTABLISHED UNDER § 12-203 OF THE PUBLIC SAFETY ARTICLE AND LOCAL
4 BUILDING AND MAINTENANCE CODE STANDARDS; AND

5 (II) NOTIFY THE LANDLORD OF A RENTAL DWELLING UNIT OF
6 THE LANDLORD'S DUTY UNDER ITEM (5) OF THIS SUBSECTION TO HAVE A MOLD
7 ASSESSMENT CONDUCTED FOR POTENTIAL MOLD IDENTIFIED BY A LOCAL
8 JURISDICTION;

9 (4) AUTHORIZE THE INSPECTION REQUIRED UNDER ITEM (3)(I) OF
10 THIS SUBSECTION TO BE PERFORMED IN CONJUNCTION WITH ANOTHER
11 INSPECTION;

12 (5) REQUIRE THE LANDLORD OF A RENTAL DWELLING UNIT TO:

13 (I) PAY THE COST OF THE MOLD INSPECTION REQUIRED
14 UNDER ITEM (3)(I) OF THIS SUBSECTION;

15 (II) BE RESPONSIBLE FOR HAVING A MOLD ASSESSMENT
16 CONDUCTED TO ANALYZE POTENTIAL MOLD IDENTIFIED IN A MOLD INSPECTION
17 UNDER ITEM (3)(I) OF THIS SUBSECTION;

18 (III) REMEDIATE MOLD IDENTIFIED IN A MOLD ASSESSMENT
19 REQUIRED UNDER ITEM (3)(I) OF THIS SUBSECTION; AND

20 (IV) DISCLOSE THE RESULTS OF THE MOLD INSPECTION
21 REQUIRED UNDER ITEM (3)(I) OF THIS SUBSECTION TO A TENANT OR PROSPECTIVE
22 TENANT;

23 (6) REQUIRE A TENANT OF A RENTAL DWELLING UNIT TO NOTIFY THE
24 LANDLORD AS SOON AS THE TENANT DETECTS THE PRESENCE OF MOLD; AND

25 (7) PROHIBIT A TENANT OR PROSPECTIVE TENANT OF A RENTAL
26 DWELLING UNIT FROM WAIVING THE DISCLOSURE REQUIREMENT UNDER ITEM
27 (5)(IV) OF THIS SUBSECTION.

28 (C) A LOCAL JURISDICTION MAY AUTHORIZE THE FOLLOWING INDIVIDUALS
29 TO PERFORM MOLD ASSESSMENTS AND INSPECTIONS UNDER THIS SECTION:

30 (1) A LICENSED HOME INSPECTOR;

31 (2) AN INDUSTRIAL HYGIENIST; OR

1 **(3) A SIMILAR PROFESSIONAL CERTIFIED TO PERFORM MOLD**
2 **ASSESSMENTS IN ACCORDANCE WITH STANDARDS ESTABLISHED BY:**

3 **(I) THE AMERICAN INDUSTRIAL HYGIENE ASSOCIATION;**

4 **(II) THE AMERICAN CONFERENCE OF GOVERNMENTAL**
5 **INDUSTRIAL HYGIENISTS; OR**

6 **(III) A SIMILAR NATIONALLY RECOGNIZED PROFESSIONAL**
7 **ORGANIZATION.**

8 **(D) THE DEPARTMENT SHALL DEVELOP AND MAKE AVAILABLE ON ITS**
9 **WEBSITE AND IN PRINT RESOURCE MATERIALS REGARDING MOLD HAZARDS AND**
10 **MOLD.**

11 **(E) (1) (I) A PERSON WHO VIOLATES A REGULATION ADOPTED UNDER**
12 **THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF UP TO \$250 PER VIOLATION, NOT**
13 **EXCEEDING \$10,000.**

14 **(II) THE CIVIL PENALTY UNDER THIS PARAGRAPH SHALL BE**
15 **ASSESSED WITH CONSIDERATION GIVEN TO:**

16 **1. THE WILLFULNESS OF THE VIOLATION AND THE**
17 **EXTENT TO WHICH THE VIOLATION WAS KNOWN TO THE VIOLATOR BUT**
18 **UNCORRECTED BY THE VIOLATOR;**

19 **2. THE EXTENT TO WHICH THE VIOLATION RESULTED IN**
20 **ACTUAL HARM TO HUMAN HEALTH;**

21 **3. THE NATURE AND DEGREE OF INJURY TO OR**
22 **INTERFERENCE WITH GENERAL WELFARE AND HEALTH; AND**

23 **4. THE EXTENT TO WHICH THE CURRENT VIOLATION IS**
24 **PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION**
25 **COMMITTED BY THE VIOLATOR.**

26 **(2) EACH DAY A VIOLATION CONTINUES CONSTITUTES A SEPARATE**
27 **OFFENSE UNDER THIS SECTION.**

28 **(3) A TENANT MAY DEPOSIT THE TENANT'S RENT IN AN ESCROW**
29 **ACCOUNT IN ACCORDANCE WITH § 8-211.2 OF THE REAL PROPERTY ARTICLE IF A**
30 **LANDLORD FAILS TO COMPLY WITH:**

1 (I) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF
2 THIS SECTION; OR

3 (II) THE DISCLOSURE REQUIREMENTS UNDER SUBSECTION
4 (B)(5)(IV) OF THIS SECTION.

5 (4) A LOCAL JURISDICTION, COUNTY ATTORNEY, OR MUNICIPAL
6 ATTORNEY MAY ENFORCE THE PROVISIONS OF THIS SECTION.

7 Article – Real Property

8 8–211.2.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (2) “MOLD” HAS THE MEANING STATED IN § 6–1701 OF THE
12 ENVIRONMENT ARTICLE.

13 (3) “RENTAL DWELLING UNIT” HAS THE MEANING STATED IN §
14 6–1701 OF THE ENVIRONMENT ARTICLE.

15 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION
16 AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR ANY AGREEMENT,
17 WHETHER WRITTEN OR ORAL, IF A LANDLORD FAILS TO COMPLY WITH THE
18 REQUIREMENTS UNDER § 6–1702 OF THE ENVIRONMENT ARTICLE, THE TENANT
19 MAY DEPOSIT THE TENANT’S RENT IN AN ESCROW ACCOUNT WITH THE CLERK OF
20 THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE PREMISES ARE LOCATED.

21 (2) A TENANT MAY NOT DEPOSIT THE TENANT’S RENT IN AN ESCROW
22 ACCOUNT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE TENANT HAS NOT
23 PROVIDED NOTICE OF MOLD OR A MOLD HAZARD TO THE LANDLORD IN A
24 REASONABLE MANNER.

25 (C) THE RIGHT OF A TENANT TO DEPOSIT RENT IN AN ESCROW ACCOUNT
26 DOES NOT PRECLUDE THE TENANT FROM PURSUING ANY OTHER RIGHT OR REMEDY
27 AVAILABLE TO THE TENANT AT LAW OR EQUITY.

28 (D) MONEY DEPOSITED IN AN ESCROW ACCOUNT SHALL BE RELEASED
29 UNDER THE FOLLOWING TERMS AND CONDITIONS:

30 (1) TO THE LESSOR ON COMPLIANCE BY THE LESSOR WITH THE

1 DISCLOSURE REQUIREMENTS AND REGULATIONS ADOPTED UNDER § 6-1702 OF THE
2 ENVIRONMENT ARTICLE; OR

3 (2) TO THE LESSEE OR ANY OTHER PERSON WHO HAS COMPLIED WITH
4 THE DISCLOSURE REQUIREMENTS AND REGULATIONS ADOPTED UNDER § 6-1702 OF
5 THE ENVIRONMENT ARTICLE ON PRESENTATION OF A BILL FOR THE REASONABLE
6 COSTS OF COMPLIANCE.

7 (E) (1) A LESSEE MAY NOT BE EVICTED, THE TENANCY MAY NOT BE
8 TERMINATED, AND THE RENT MAY NOT BE RAISED FOR A LESSEE WHO ELECTS TO
9 SEEK THE REMEDIES UNDER THIS SECTION.

10 (2) IT SHALL BE PRESUMED THAT ANY ATTEMPT TO EVICT THE
11 LESSEE, TO TERMINATE THE TENANCY, OR TO RAISE THE RENT, EXCEPT FOR
12 NONPAYMENT OF RENT, WITHIN 2 MONTHS AFTER COMPLIANCE WITH THE
13 REQUIREMENTS UNDER § 6-1702 OF THE ENVIRONMENT ARTICLE IS IN
14 RETALIATION FOR THE LESSEE'S PROCEEDING UNDER THIS SECTION AND SHALL BE
15 VOIDABLE.

16 (F) THIS SECTION SHALL PREEMPT ANY PUBLIC LOCAL LAW OR ORDINANCE
17 CONCERNING THE DEPOSIT OF RENT INTO AN ESCROW ACCOUNT BASED ON THE
18 EXISTENCE OF MOLD IN A RENTAL DWELLING UNIT IN THE STATE AND DISPOSITION
19 OF THAT RENT.

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

22 **Article – Tax – General**

23 **10-754.**

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) “DEPARTMENT” MEANS THE DEPARTMENT OF THE
27 ENVIRONMENT.

28 (3) “MOLD REMEDIATION” HAS THE MEANING STATED IN § 6-1701 OF
29 THE ENVIRONMENT ARTICLE.

30 (4) “TAXPAYER” MEANS THE OWNER OF A RESIDENTIAL RENTAL
31 PROPERTY WHO PERFORMS OR PAYS FOR THE PERFORMANCE OF MOLD
32 REMEDIATION ON THE RESIDENTIAL RENTAL PROPERTY.

1 **(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A TAXPAYER WHO**
2 **RECEIVES A TAX CREDIT CERTIFICATE MAY CLAIM A CREDIT AGAINST THE STATE**
3 **INCOME TAX FOR THE TOTAL COSTS INCURRED BY THE TAXPAYER FOR MOLD**
4 **REMEDICATION PERFORMED ON RESIDENTIAL RENTAL PROPERTY DURING THE**
5 **TAXABLE YEAR.**

6 **(C) ON APPLICATION BY A TAXPAYER, THE DEPARTMENT SHALL ISSUE A**
7 **TAX CREDIT CERTIFICATE THAT MAY NOT EXCEED THE LESSER OF:**

8 **(1) THE ACTUAL COSTS INCURRED; OR**

9 **(2) \$10,000.**

10 **(D) (1) THE DEPARTMENT MAY NOT ISSUE AN AGGREGATE AMOUNT OF**
11 **TAX CREDIT CERTIFICATES EXCEEDING \$600,000 FOR A TAXABLE YEAR.**

12 **(2) (I) OF THE CREDIT AMOUNT AUTHORIZED UNDER PARAGRAPH**
13 **(1) OF THIS SUBSECTION, THE DEPARTMENT SHALL MAKE:**

14 **1. 40% AVAILABLE FOR TAXPAYERS WHO OWN SINGLE**
15 **FAMILY RESIDENTIAL PROPERTIES; AND**

16 **2. 60% AVAILABLE FOR TAXPAYERS WHO OWN**
17 **MULTIFAMILY RESIDENTIAL PROPERTIES.**

18 **(II) IF THE TOTAL AMOUNT OF CREDITS APPLIED FOR BY**
19 **SINGLE FAMILY TAXPAYERS IS LESS THAN THE AMOUNT MADE AVAILABLE UNDER**
20 **SUBPARAGRAPH (I)1 OF THIS PARAGRAPH, THE DEPARTMENT SHALL MAKE**
21 **AVAILABLE THE UNUSED AMOUNT OF CREDITS FOR USE BY TAXPAYERS WHO OWN**
22 **MULTIFAMILY RESIDENTIAL PROPERTIES.**

23 **(III) IF THE TOTAL AMOUNT OF CREDITS APPLIED FOR BY**
24 **MULTIFAMILY TAXPAYERS IS LESS THAN THE AMOUNT MADE AVAILABLE UNDER**
25 **SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, THE DEPARTMENT SHALL MAKE**
26 **AVAILABLE THE UNUSED AMOUNT OF CREDITS FOR USE BY TAXPAYERS WHO OWN**
27 **SINGLE FAMILY RESIDENTIAL PROPERTIES.**

28 **(E) THE DEPARTMENT SHALL APPROVE ALL APPLICATIONS THAT QUALIFY**
29 **FOR A TAX CREDIT CERTIFICATE:**

30 **(1) ON A FIRST-COME, FIRST-SERVED BASIS; AND**

31 **(2) IN A TIMELY MANNER.**

1 (F) (1) THE TOTAL AMOUNT OF THE CREDIT ALLOWED UNDER THIS
2 SECTION FOR ANY TAXABLE YEAR MAY NOT EXCEED THE STATE INCOME TAX FOR
3 THAT TAXABLE YEAR, CALCULATED BEFORE THE APPLICATION OF THE CREDITS
4 UNDER THIS SECTION AND §§ 10-701 AND 10-701.1 OF THIS SUBTITLE BUT AFTER
5 THE APPLICATION OF OTHER CREDITS ALLOWABLE UNDER THIS SUBTITLE.

6 (2) THE UNUSED AMOUNT OF CREDIT FOR ANY TAXABLE YEAR MAY
7 NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

8 (G) THE CREDIT UNDER THIS SECTION MAY NOT BE CLAIMED FOR MOLD
9 REMEDIATION ACTIVITIES PERFORMED BEFORE JANUARY 1, 2022, OR AFTER
10 DECEMBER 31, 2031.

11 (H) (1) ON OR BEFORE JANUARY 31 EACH TAXABLE YEAR, THE
12 DEPARTMENT SHALL REPORT TO THE COMPTROLLER ON THE TAX CREDIT
13 CERTIFICATES ISSUED UNDER THIS SECTION DURING THE PRIOR TAXABLE YEAR.

14 (2) (I) ON OR BEFORE OCTOBER 1, 2023, AND EACH YEAR
15 THEREAFTER, THE COMPTROLLER AND THE DEPARTMENT JOINTLY SHALL REPORT
16 TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE
17 GOVERNMENT ARTICLE, ON:

18 1. THE NUMBER OF CERTIFICATIONS AND TAXPAYERS
19 CLAIMING THE CREDIT UNDER THIS SECTION;

20 2. THE NAME AND PHYSICAL LOCATION OF EACH
21 TAXPAYER ISSUED AN INITIAL CREDIT CERTIFICATE;

22 3. THE MAXIMUM CREDIT AMOUNT APPROVED FOR EACH
23 TAXPAYER;

24 4. THE GEOGRAPHICAL DISTRIBUTION OF THE CREDITS
25 CLAIMED; AND

26 5. ANY OTHER AVAILABLE INFORMATION THE
27 ADMINISTRATION DETERMINES TO BE MEANINGFUL AND APPROPRIATE.

28 (II) THE COMPTROLLER SHALL ENSURE THAT THE
29 INFORMATION IS PRESENTED AND CLASSIFIED IN A MANNER CONSISTENT WITH THE
30 CONFIDENTIALITY OF TAX RETURN INFORMATION.

31 (I) THE DEPARTMENT, IN CONSULTATION WITH THE COMPTROLLER,

1 **SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

2 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2022. Section 2 of this Act shall remain effective for a period of 10 years and, at the end
4 of June 30, 2032, Section 2 of this Act, with no further action required by the General
5 Assembly, shall be abrogated and of no further force and effect.