

~~(D)~~ (E) WITHIN 60 DAYS FOLLOWING ANY SUBMISSION DATE, THE SECRETARY MAY DESIGNATE ONE OR MORE ENTERPRISE ZONES FROM AMONG THE APPLICATIONS SUBMITTED TO THE SECRETARY ON OR BEFORE THAT SUBMISSION DATE, PROVIDED, HOWEVER, THAT THE SECRETARY MAY NOT DESIGNATE MORE THAN 6 ENTERPRISE ZONES IN ANY 12 MONTH PERIOD AND NO POLITICAL-SUBDIVISION COUNTY MAY RECEIVE MORE THAN TWO-AREAS 1 AREA DESIGNATED AS ENTERPRISE ZONES AN ENTERPRISE ZONE IN ANY CALENDAR YEAR. THE DETERMINATION OF THE SECRETARY AS TO THE AREAS DESIGNATED ENTERPRISE ZONES SHALL BE FINAL, EXCEPT THAT, FOR ANY AREA NOT DESIGNATED AN ENTERPRISE ZONE, A POLITICAL SUBDIVISION MAY REAPPLY AT ANY TIME TO THE SECRETARY FOR DESIGNATION OF THAT AREA AS AN ENTERPRISE ZONE.

~~(E)~~ (F) ANY AREA THAT IS DESIGNATED AN ENTERPRISE ZONE UNDER FEDERAL LAW SHALL AUTOMATICALLY AND WITHOUT ANY ADDITIONAL ACTION BY THE POLITICAL SUBDIVISION OR THE SECRETARY BE DESIGNATED AN ENTERPRISE ZONE UNDER THIS SECTION WITHOUT REGARD TO ANY LIMITATION AS TO THE NUMBER OF ENTERPRISE ZONES THAT MAY BE DESIGNATED IN ANY 12 MONTH PERIOD; ~~PERIOD~~; PROVIDED, HOWEVER, THE INCENTIVES AND INITIATIVES PROVIDED FOR IN THIS ARTICLE SHALL NOT BE AVAILABLE TO BUSINESS ENTITIES LOCATED IN AN ENTERPRISE ZONE DESIGNATED UNDER FEDERAL LAW UNLESS THE SECRETARY AND THE BOARD OF PUBLIC WORKS SHALL CONSENT TO THE DESIGNATION.

~~(F)~~ (G) AN APPLICATION BY A POLITICAL SUBDIVISION AND THE DESIGNATION BY THE SECRETARY OF AN AREA AS AN ENTERPRISE ZONE SHALL CONSTITUTE THE STATE APPROVAL THAT MAY BE REQUIRED FOR DESIGNATION AS AN ENTERPRISE ZONE UNDER FEDERAL LAW.

~~(G)~~ (H) BEFORE DESIGNATING AN ENTERPRISE ZONE, THE SECRETARY SHALL CONSULT WITH AND ASK THE ADVICE OF THE DEPARTMENT'S ADVISORY COMMISSION.

266KK-3. REQUIREMENTS.

(A) THE SECRETARY MAY NOT DESIGNATE ANY AREA AN ENTERPRISE ZONE UNLESS THAT AREA SATISFIES AT LEAST ONE OF THE FOLLOWING REQUIREMENTS:

(1) THE AVERAGE RATE OF UNEMPLOYMENT IN THE AREA, OR WITHIN A REASONABLE PROXIMITY WITHIN THAT COUNTY OF TO THAT AREA, FOR THE MOST RECENT 18 MONTH PERIOD FOR WHICH DATA ARE AVAILABLE MUST BE AT LEAST 150 PERCENT OF THE AVERAGE RATE OF UNEMPLOYMENT IN EITHER THE STATE OF MARYLAND OR THE UNITED STATES, WHICHEVER AVERAGE RATE IS GREATER, DURING THAT SAME PERIOD;

(2) THE POPULATION IN THE AREA OR WITHIN A REASONABLE PROXIMITY WITHIN THAT COUNTY TO THAT AREA IS A LOW-INCOME POVERTY AREA ON THE BASIS OF THE MOST RECENT CENSUS;