

(e) ~~[The] WHERE--PERMITTED--BY--LAW--APPLICABLE---TO---THE BORROWING--POLITICAL--SUBDIVISION,~~ THE loan agreement shall be recorded among the land records of the political subdivision in which the project is located and shall constitute a lien on the land and the improvements.

5-406.1.

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

(2) "INCUBATOR" MEANS ANY BUILDING OF FLEXIBLE DESIGN, OWNED OR CONTROLLED BY A POLITICAL SUBDIVISION, FOR EVENTUAL LEASE TO MULTIPLE NEW BUSINESSES WHICH SHARE SUPPORT SERVICES AND FACILITIES.

(3) "NEW BUSINESSES" ARE BUSINESSES WHICH HAVE BEEN IN EXISTENCE FOR NO LONGER THAN 3 YEARS.

(4) "PROJECT COSTS" MAY INCLUDE PLANNING AND ENGINEERING STUDIES, DESIGN AND ENGINEERING SERVICES, AND BUILDING ACQUISITION AND BUILDING REHABILITATION.

(5) "STATE-FINANCED RESEARCH" MEANS RESEARCH FINANCED ~~IN-WHOLE-OR~~ IN PART WITH THE ASSISTANCE OF THE STATE.

(B) ANY POLITICAL SUBDIVISION MAY APPLY TO THE SECRETARY FOR A LOAN TO FINANCE PROJECT COSTS OF REHABILITATION OF EXISTING BUILDINGS FOR INCUBATORS.

(C) THE APPLICATION SHALL DESCRIBE THE PROJECT IN SUCH MANNER AND DETAIL AS THE SECRETARY MAY, BY REGULATION, DETERMINE AND SHALL INCLUDE THE INFORMATION SET FORTH IN § 5-404(A) OF THIS SUBTITLE AS IT RELATES TO THE INCUBATOR PROJECT, AND A COMPLETE BREAKDOWN OF THE ANTICIPATED COSTS OF THE PROJECT.

(D) IN DETERMINING WHETHER OR NOT TO APPROVE A LOAN AND THE AMOUNT OF THE LOAN, THE SECRETARY SHALL CONSIDER THOSE FACTORS SET FORTH IN § 5-404(B) OF THIS SUBTITLE AS THEY RELATE TO THE INCUBATOR PROJECT.

(E) AFTER THE INVESTIGATION THE SECRETARY CONSIDERS NECESSARY, THE SECRETARY MAY APPROVE A LOAN OF ALL OR ANY PART OF THE PROJECT COSTS, NOT TO EXCEED \$1,500,000 FOR ANY 1 INCUBATOR, EXCEPT THAT IN THE CASE OF AN INCUBATOR FOR WHICH THE POLITICAL SUBDIVISION HAS AN EXECUTED LEASE AGREEMENT ACCEPTABLE TO THE SECRETARY WITH AT LEAST 1 NEW BUSINESS WHICH WILL BE CONDUCTING STATE-FINANCED RESEARCH AS A TENANT OF THE INCUBATOR, THERE-IS-NO-MAXIMUM-LOAN-AMOUNT-IMPOSED-BY--THIS--SUBTITLE THE LOAN AMOUNT UNDER THIS SUBSECTION SHALL NOT EXCEED \$2,500,000.