

PROCESSING, PURCHASING, TRANSPORTATION OR SHIPPING, ADVERTISING, LEGAL, FINANCIAL, AND RESEARCH AND DEVELOPMENT.

(C) (1) "COMPANY HEADQUARTERS" MEANS A FACILITY WHERE THE MAJORITY OF A BUSINESS ENTITY'S FINANCIAL, PERSONNEL, LEGAL, AND PLANNING FUNCTIONS ARE HANDLED EITHER ON A REGIONAL OR NATIONAL BASIS.

(2) "COMPANY HEADQUARTERS" DOES NOT INCLUDE THE HEADQUARTERS OF A PROFESSIONAL SPORTS ORGANIZATION.

(D) "CREDIT YEAR" MEANS THE TAXABLE YEAR IN WHICH A QUALIFIED BUSINESS ENTITY CLAIMS THE CREDIT ALLOWED UNDER THIS SUBTITLE.

(E) "FULL-TIME POSITION" MEANS A POSITION REQUIRING AT LEAST 840 HOURS OF AN EMPLOYEE'S TIME DURING AT LEAST 24 WEEKS IN A 6-MONTH PERIOD.

(F) (1) "QUALIFIED BUSINESS ENTITY" MEANS A PERSON CONDUCTING OR OPERATING A TRADE OR BUSINESS IN MARYLAND WHO:

(I) IS ENGAGED IN AN ACTIVITY SPECIFIED IN § 5-1102(B)(2)(II) OF THIS SUBTITLE;

(II) DURING ANY 24-MONTH PERIOD CREATES:

1. AT LEAST 60 QUALIFIED POSITIONS; OR

2. AT LEAST 30 QUALIFIED POSITIONS IF THE AGGREGATE PAYROLL FOR THE QUALIFIED POSITIONS IS GREATER THAN A THRESHOLD AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING 60 TIMES THE STATE'S AVERAGE ANNUAL SALARY, AS DETERMINED BY THE DEPARTMENT; AND

(III) IS CERTIFIED BY THE SECRETARY UNDER § 5-1102(B) OF THIS SUBTITLE AS QUALIFYING FOR THE TAX CREDIT UNDER THIS SUBTITLE.

(2) FOR A PERSON ENGAGED IN A BUSINESS ACTIVITY DESCRIBED IN § 5-1102(B)(2)(II)11 OF THIS SUBTITLE, "QUALIFIED BUSINESS ENTITY":

(I) INCLUDES THE PERSONS OWNING OR OPERATING THE MULTITUSE FACILITY IN WHICH THE ENTERTAINMENT, RECREATION, CULTURAL, OR TOURISM-RELATED ACTIVITIES ARE OPERATED; AND

(II) DOES NOT INCLUDE ANY SEPARATE ENTITY THAT LEASES RETAIL SPACE AT THE FACILITY.

(G) "QUALIFIED EMPLOYEE" MEANS AN EMPLOYEE FILLING A QUALIFIED POSITION.

(H) (1) "QUALIFIED POSITION" MEANS A POSITION THAT:

(I) IS A FULL-TIME POSITION AND IS OF INDEFINITE DURATION;

(II) PAYS AT LEAST 150% OF THE FEDERAL MINIMUM WAGE;

(III) IS LOCATED IN MARYLAND;