

(2) IF, DURING ANY OF THE 3 YEARS SUCCEEDING THE CREDIT YEAR, THE AVERAGE NUMBER OF QUALIFIED POSITIONS FALLS BELOW THE APPLICABLE THRESHOLD NUMBER OF POSITIONS UNDER SUBSECTION (B)(2)(I)1 OR 2 OF THIS SECTION, ALL CREDITS EARNED SHALL BE RECAPTURED.

(3) (I) DURING THE 3 TAXABLE YEARS SUCCEEDING THE CREDIT YEAR, THE QUALIFIED BUSINESS ENTITY SHALL SUPPLY INFORMATION REQUIRED BY THE DEPARTMENT IN REGULATION TO VERIFY THAT THE BUSINESS ENTITY IS NOT SUBJECT TO PARAGRAPH (1) OR (2) OF THIS SUBSECTION.

(II) THE DEPARTMENT MAY REQUIRE ANY INFORMATION REQUIRED UNDER THIS PARAGRAPH TO BE VERIFIED BY AN INDEPENDENT AUDITOR SELECTED BY THE BUSINESS ENTITY.

(F) ANY INFORMATION PROVIDED TO THE COMPTROLLER OR THE APPROPRIATE AGENCY BY A QUALIFIED BUSINESS ENTITY IN CONNECTION WITH ELIGIBILITY FOR A CREDIT ALLOWED UNDER THIS SECTION SHALL BE SHARED BY THE COMPTROLLER OR THE APPROPRIATE AGENCY WITH THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT AND SHALL BE SUBJECT TO THE CONFIDENTIALITY REQUIREMENTS ESTABLISHED BY STATUTES OR REGULATIONS APPLICABLE TO THE COMPTROLLER OR THE APPROPRIATE AGENCY.

(G) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

(2) THE COMPTROLLER SHALL ADOPT REGULATIONS TO PROVIDE FOR THE COMPUTATION, CARRYOVER, AND RECAPTURE OF THE CREDIT UNDER § 10-704.4 OF THE TAX - GENERAL ARTICLE.

(3) THE DEPARTMENT OF ASSESSMENTS AND TAXATION SHALL ADOPT REGULATIONS TO PROVIDE FOR THE COMPUTATION, CARRYOVER, AND RECAPTURE OF THE CREDIT UNDER §§ 8-214 AND 8-411 OF THE TAX - GENERAL ARTICLE.

(4) THE MARYLAND INSURANCE COMMISSIONER SHALL ADOPT REGULATIONS TO PROVIDE FOR THE COMPUTATION, CARRYOVER, AND RECAPTURE OF THE CREDIT UNDER ARTICLE 48A, § 632(E) OF THE CODE.

(H) THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY BY NOVEMBER 1 OF EACH YEAR ON THE BUSINESS ENTITIES CERTIFIED AS ELIGIBLE FOR TAX CREDITS IN THE PRECEDING FISCAL YEAR.

5-1103.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE PROVISIONS OF THIS SUBTITLE AND THE TAX CREDIT AUTHORIZED UNDER THIS SUBTITLE SHALL TERMINATE AS OF JANUARY 1, 2002.

(B) (1) THE TAX CREDITS AUTHORIZED UNDER THIS SUBTITLE: