

(III) "ELIGIBLE PROJECT COSTS" DOES NOT INCLUDE ANY COSTS INCURRED BY A BUSINESS ENTITY BEFORE NOTIFYING THE DEPARTMENT OF ITS INTENT TO SEEK CERTIFICATION AS QUALIFYING FOR THE TAX CREDIT UNDER THIS SECTION.

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

(I) ESTABLISHES OR EXPANDS A BUSINESS FACILITY THAT:

1. IS LOCATED IN A QUALIFIED DISTRESSED COUNTY IN THE STATE; AND

2. IS LOCATED WITHIN A PRIORITY FUNDING AREA UNDER § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OR IS ELIGIBLE FOR FUNDING OUTSIDE OF A PRIORITY FUNDING AREA UNDER § 5-7B-05 OR § 5-7B-06 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(II) DURING ANY 24-MONTH PERIOD CREATES AT LEAST 25 QUALIFIED POSITIONS AT THE NEW OR EXPANDED BUSINESS FACILITY;

(III) IS PRIMARILY ENGAGED AT THE NEW OR EXPANDED BUSINESS FACILITY IN THE QUALIFIED DISTRESSED COUNTY IN ONE OR MORE OF THE FOLLOWING:

1. MANUFACTURING OR MINING;
2. TRANSPORTATION OR COMMUNICATIONS;
3. FILMMAKING, RESORT, AND RECREATIONAL BUSINESS;
4. AGRICULTURE, FORESTRY, OR FISHING;
5. RESEARCH, DEVELOPMENT, OR TESTING;
6. BIOTECHNOLOGY;
7. COMPUTER PROGRAMMING, DATA PROCESSING, OR OTHER COMPUTER RELATED SERVICES;
8. CENTRAL FINANCIAL, REAL ESTATE, OR INSURANCE SERVICES;
9. THE OPERATION OF CENTRAL ADMINISTRATIVE OFFICES OR A COMPANY HEADQUARTERS;
10. A PUBLIC UTILITY;
11. WAREHOUSING; OR
12. BUSINESS SERVICES; AND

(IV) IS CERTIFIED BY THE SECRETARY UNDER SUBSECTION (E) OF THIS SECTION AS QUALIFYING FOR THE TAX CREDITS UNDER THIS SECTION.