

(8) "QUALIFIED DISTRESSED COUNTY" MEANS A COUNTY, INCLUDING BALTIMORE CITY, FOR WHICH:

(I) THE AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 18-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE IS GREATER THAN 150% OF THE AVERAGE RATE OF UNEMPLOYMENT FOR THE ENTIRE STATE DURING THAT SAME PERIOD; OR

(II) THE AVERAGE PER CAPITA PERSONAL INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE IS EQUAL TO OR LESS THAN 67% OF THE AVERAGE PERSONAL PER CAPITA INCOME FOR THE ENTIRE STATE DURING THAT SAME PERIOD.

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

(10) (I) "QUALIFIED POSITION" MEANS A POSITION THAT:

1. IS A FULL-TIME POSITION AND IS OF INDEFINITE DURATION;

2. PAYS AT LEAST 150% OF THE FEDERAL MINIMUM WAGE;

3. IS LOCATED IN A QUALIFIED DISTRESSED COUNTY IN MARYLAND;

4. IS NEWLY CREATED, AS A RESULT OF THE ESTABLISHMENT OR EXPANSION OF A BUSINESS FACILITY IN A SINGLE LOCATION IN THE QUALIFIED DISTRESSED COUNTY; AND

5. IS FILLED.

(II) "QUALIFIED POSITION" DOES NOT INCLUDE A POSITION THAT IS:

1. CREATED WHEN AN EMPLOYMENT FUNCTION IS SHIFTED FROM AN EXISTING BUSINESS FACILITY OF THE BUSINESS ENTITY LOCATED IN MARYLAND TO ANOTHER BUSINESS FACILITY OF THE SAME BUSINESS ENTITY IF THE POSITION DOES NOT REPRESENT A NET NEW JOB IN THE STATE;

2. CREATED THROUGH A CHANGE IN OWNERSHIP OF A TRADE OR BUSINESS;

3. CREATED THROUGH A CONSOLIDATION, MERGER, OR RESTRUCTURING OF A BUSINESS ENTITY IF THE POSITION DOES NOT REPRESENT A NET NEW JOB IN THE STATE;

4. CREATED WHEN AN EMPLOYMENT FUNCTION IS CONTRACTUALLY SHIFTED FROM AN EXISTING BUSINESS ENTITY LOCATED IN THE STATE TO ANOTHER BUSINESS ENTITY IF THE POSITION DOES NOT REPRESENT A NET NEW JOB IN THE STATE; OR

5. FILLED FOR A PERIOD OF LESS THAN 12 MONTHS.