

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "QUALIFIED MARYLAND FACILITY" MEANS A FACILITY LOCATED IN THE STATE THAT:

1. PRIMARILY USES QUALIFIED ENERGY RESOURCES TO PRODUCE ELECTRICITY AND IS ORIGINALLY PLACED IN SERVICE ON OR AFTER JANUARY 1, 2001, BUT BEFORE JANUARY 1, 2005; OR

2. PRODUCES ELECTRICITY ~~FROM COAL IF ELECTRICITY IS CONCURRENTLY PRODUCED FROM A QUALIFIED ENERGY RESOURCE THAT IS CO-FIRED AT THE FACILITY WITH COAL AND INITIALLY BEGINS CO-FIRING A QUALIFIED ENERGY RESOURCE ON OR BEFORE~~ AFTER JANUARY 1, 2001 BUT BEFORE JANUARY 1, 2005, REGARDLESS OF WHEN THE ORIGINAL FACILITY WAS ORIGINALLY PLACED IN SERVICE.

(II) "QUALIFIED MARYLAND FACILITY" DOES NOT INCLUDE A QUALIFIED FACILITY ~~ELIGIBLE FOR THE~~ THAT CLAIMS A TAX CREDIT UNDER § 45 OF THE INTERNAL REVENUE CODE:

1. THAT IS ORIGINALLY PLACED IN SERVICE BEFORE JANUARY 1, 2002; OR

2. IF § 45 OF THE INTERNAL REVENUE CODE IS AMENDED TO EXTEND THE APPLICABILITY OF THE CREDIT UNDER THAT SECTION, THAT IS ORIGINALLY PLACED IN SERVICE DURING THE TIME PERIOD SPECIFIED IN § 45 OF THE INTERNAL REVENUE CODE FOR ELIGIBILITY FOR THE CREDIT UNDER THAT SECTION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ~~A TAXPAYER~~ AN INDIVIDUAL OR CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR A TAXABLE YEAR IN AN AMOUNT EQUAL TO 0.85 CENTS FOR EACH KILOWATT HOUR OF ELECTRICITY:

(I) PRODUCED BY THE ~~TAXPAYER~~ INDIVIDUAL OR CORPORATION FROM QUALIFIED ENERGY RESOURCES AT A QUALIFIED MARYLAND FACILITY DURING THE 10-YEAR PERIOD BEGINNING ON:

1. THE DATE THE FACILITY WAS ORIGINALLY PLACED IN SERVICE; OR

2. IN THE CASE OF A FACILITY THAT PRODUCES ELECTRICITY FROM A QUALIFIED ENERGY RESOURCE THAT IS CO-FIRED WITH COAL, ~~THE LATER OF~~ THE DATE OF THE INITIAL CO-FIRING OR JANUARY 1, 2001; AND

(II) SOLD BY THE ~~TAXPAYER~~ INDIVIDUAL OR CORPORATION TO AN UNRELATED PERSON A PERSON OTHER THAN A RELATED PERSON, WITHIN THE MEANING OF § 45 OF THE INTERNAL REVENUE CODE, DURING THE TAXABLE YEAR.

(2) IF THE ELECTRICITY IS PRODUCED FROM ~~BIOMASS~~ A QUALIFIED ENERGY RESOURCE THAT IS CO-FIRED AT A FACILITY THAT PRODUCES ELECTRICITY