

within the 5-year period as provided under this subsection, over the assessment of the qualified brownfields site before the voluntary cleanup].

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 83A - Department of Business and Economic Development

5-1401.

(f) (1) "Brownfields site" means:

(i) An eligible property, as defined in § 7-501 of the Environment Article, that is:

1. Owned or operated by [an]:

A. AN inculpable person, as defined in § 7-501 of the Environment Article; OR

B. AN INNOCENT PURCHASER THAT MEETS THE REQUIREMENTS SET FORTH IN § 7-201(X)(2)(I) OF THE ENVIRONMENT ARTICLE; and

2. Located in a [taxing jurisdiction] COUNTY OR MUNICIPAL CORPORATION that has elected to participate in the Brownfields Revitalization Incentive Program in accordance with [§ 9-229 of the Tax - Property Article] § 5-1408(A) OF THIS SUBTITLE; or

(ii) Property where there is a release, discharge, or threatened release of oil, as defined in § 4-401 of the Environment Article, that is:

1. Subject to a corrective action plan approved by the Department of the Environment in accordance with Title 4 of the Environment Article; and

2. Located in a [taxing jurisdiction] COUNTY OR MUNICIPAL CORPORATION that has elected to participate in the Brownfields Revitalization Incentive Program in accordance with [§ 9-229 of the Tax - Property Article] § 5-1408(A) OF THIS SUBTITLE.

(2) "Brownfields site" does not include property that is owned or operated by a responsible person or a person responsible for the discharge.

5-1408.

(A) A COUNTY OR MUNICIPAL CORPORATION MAY ELECT TO PARTICIPATE IN THE BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM BY:

(1) SUBMITTING TO THE DEPARTMENT A LIST OF POTENTIAL BROWNFIELDS SITES IN THE COUNTY OR MUNICIPAL CORPORATION, RANKED IN THE ORDER OF PRIORITY FOR REDEVELOPMENT RECOMMENDED BY THE COUNTY OR MUNICIPAL CORPORATION; AND