

[(2)] (3) The same tax credit may not be applied more than once against different taxes.

(c) If the credit allowed under this section in any taxable year exceeds the total tax otherwise payable by the business entity or the individual for that taxable year, the business entity or individual may ~~apply the excess as a credit for succeeding years until the earlier of:~~

~~(1) The full amount of the excess is used; or~~

~~(2) The expiration of the tenth taxable year after the taxable year in which the certified rehabilitation is completed~~ CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.

~~(d) (1) If a certified heritage structure for which a certified rehabilitation has been completed is sold or transferred, the amount of any credit unused at the time of sale or transfer may be transferred to the individual or business entity to which the building is sold or transferred.~~

~~(2) If a certified heritage structure for which a certified rehabilitation has been completed by a nonprofit corporation exempt from taxation is sold or transferred, the full amount of the credit to which the nonprofit corporation would be entitled if taxable may be transferred to the purchaser or transferee at the time of the sale or transfer.~~

~~(e) (D)(1) -~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A business entity or individual that incurs qualified rehabilitation expenditures in the rehabilitation of a certified historic structure in a state other than Maryland may claim a tax credit to the same extent as provided under subsection (b) of this section if the other state has in effect a reciprocal historic rehabilitation tax credit program and agreement for taxpayers of that state who rehabilitate historic structures in Maryland.

(2) A BUSINESS ENTITY OR INDIVIDUAL THAT QUALIFIES FOR A TAX CREDIT UNDER THIS SUBSECTION MAY NOT CLAIM A REFUND UNDER SUBSECTION (C) OF THIS SECTION.

(3) IF THE CREDIT ALLOWED TO A BUSINESS ENTITY OR INDIVIDUAL UNDER THIS SUBSECTION FOR ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE BUSINESS ENTITY OR THE INDIVIDUAL FOR THAT TAXABLE YEAR, THE BUSINESS ENTITY OR INDIVIDUAL MAY APPLY THE EXCESS AS A CREDIT FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:

(I) THE FULL AMOUNT OF THE CREDIT IS USED; OR

(II) THE EXPIRATION OF THE TENTH TAXABLE YEAR AFTER THE TAXABLE YEAR IN WHICH THE REHABILITATION IS COMPLETED.

~~(f) (1) (i) In this subsection the following words have the meanings indicated:~~