

1. THE PROPERTY, CONSTRUCTION, COMPLETION, OR REHABILITATION ON WHICH THE CREDIT ALLOWED UNDER THIS SECTION IS BASED IS ORIGINALLY PLACED IN SERVICE; OR

2. A FUEL CELL, WIND TURBINE, OR PHOTOVOLTAIC MODULE CONSTITUTES A QUALIFYING ALTERNATE ENERGY SOURCE AND IS FULLY OPERATIONAL; OR

(I) THE ~~FIRST~~ EARLIEST TAXABLE YEAR FOR WHICH THE CREDIT MAY BE CLAIMED UNDER THE INITIAL CREDIT ~~COMPONENT~~ CERTIFICATE ISSUED UNDER SUBSECTION ~~(L)~~ (K) OF THIS SECTION.

(8) "ELIGIBLE BUILDING" MEANS A BUILDING LOCATED IN THE STATE THAT IS:

(I) 1. IS A BUILDING USED PRIMARILY FOR NONRESIDENTIAL PURPOSES IF THE BUILDING CONTAINS AT LEAST 20,000 SQUARE FEET OF INTERIOR SPACE;

2. IS A RESIDENTIAL MULTIFAMILY BUILDING WITH AT LEAST 12 DWELLING UNITS THAT CONTAINS AT LEAST 20,000 SQUARE FEET OF INTERIOR SPACE; OR

3. IS ANY COMBINATION OF BUILDINGS DESCRIBED IN ITEM ~~(H)~~ 1 OR ~~(H)~~ 2 OF THIS PARAGRAPH ITEM; AND

~~(H) IF THE BUILDING IS A NEWLY CONSTRUCTED BUILDING FOR WHICH A CERTIFICATE OF OCCUPANCY WAS NOT ISSUED BEFORE JULY 1, 2000:~~

~~1. THE BUILDING IS LOCATED IN A STATE APPROVED PRIORITY FUNDING AREA; AND~~

~~2. THE BUILDING IS NOT LOCATED ON WETLANDS, THE CONSTRUCTION OF WHICH REQUIRES A PERMIT UNDER § 404 OF THE FEDERAL CLEAN WATER ACT, 33 U.S.C. § 1344.~~

(II) IN THE CASE OF A NEWLY CONSTRUCTED BUILDING FOR WHICH A CERTIFICATE OF OCCUPANCY WAS NOT ISSUED BEFORE JULY 1, 2001:

1. IS LOCATED ON A QUALIFIED BROWNFIELDS SITE, AS DEFINED UNDER ARTICLE 83A, § 5-1401 OF THE CODE; OR

2. A. IS LOCATED IN A PRIORITY FUNDING AREA UNDER § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

B. IS NOT LOCATED ON WETLANDS, THE ALTERATION OF WHICH REQUIRES A PERMIT UNDER § 404 OF THE FEDERAL CLEAN WATER ACT, 33 U.S.C. § 1344; AND

(III) IN THE CASE OF A REHABILITATION OF A BUILDING: