

4-704. DESIGNATION.

(A) IN GENERAL.

THE SECRETARY MAY DESIGNATE AN AREA AS AN ARTS AND ENTERTAINMENT DISTRICT ONLY IF THE AREA IS A CONTIGUOUS GEOGRAPHIC AREA THAT IS WHOLLY WITHIN A PRIORITY FUNDING AREA AS PROVIDED UNDER § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(B) PROCEDURE; LIMITATION.

(1) WITHIN 60 DAYS AFTER A SUBMISSION DATE, THE SECRETARY MAY DESIGNATE ONE OR MORE ARTS AND ENTERTAINMENT DISTRICTS FROM AMONG THE AREAS IN THE APPLICATIONS TIMELY SUBMITTED.

(2) A COUNTY MAY NOT RECEIVE MORE THAN ONE ARTS AND ENTERTAINMENT DISTRICT DESIGNATION IN A CALENDAR YEAR.

(C) FINALITY.

THE DESIGNATION OF THE SECRETARY IS FINAL.

(D) REAPPLICATION.

AT ANY TIME, A POLITICAL SUBDIVISION MAY REAPPLY TO THE SECRETARY TO DESIGNATE AS AN ARTS AND ENTERTAINMENT DISTRICT AN AREA THAT IS NOT SO DESIGNATED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83A, §§ 4-701(c) and 4-702(e).

In subsection (a) of this section, the limitation that "[t]he Secretary may designate" as an arts and entertainment district an area with certain characteristics is substituted for the former requirement that an arts and entertainment district "shall be" an area with those characteristics for clarity and to conform to a corresponding provision concerning eligibility for enterprise zones. Cf. § 5-704(a)(1) of this article.

Also in subsection (a) of this section, the former reference to an arts and entertainment district being in a "county" is deleted in light of the authority to establish a district either entirely within a municipal corporation or in more than one county under § 4-703 of this subtitle.

Also in subsection (a) of this section, the former requirement that an arts and entertainment district be wholly within a "designated neighborhood as defined under § 6-301 of the Housing and Community Development Article" is deleted as redundant of the requirement that the district be wholly within a "priority funding area as provided under § 5-7B-02 of the State Finance and Procurement Article". Any designated neighborhood under HS § 6-301 must be located wholly within a priority funding area under SF § 5-7B-02. No substantive change is intended.

Although subsection (b) of this section refers only to "a" submission date,