

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83A, § 5-1408(e) and, as it referred to the Program in the Department, § 5-1401(i).

In subsection (b) of this section, the defined term "financial assistance" is substituted for the former reference to "financial incentives" for clarity and consistency within this subtitle.

Defined terms: "Brownfields Revitalization Incentive Program" § 5-301  
 "Department" § 1-101  
 "Financial assistance" § 5-301  
 "Person" § 1-101

5-336. ELECTION BY COUNTY OR MUNICIPAL CORPORATION TO PARTICIPATE.

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

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

(II) UPDATING EACH YEAR THE LIST SUBMITTED UNDER ITEM (I) OF THIS ITEM; OR

(2) (I) ENACTING LEGISLATION GRANTING PROPERTY TAX CREDITS IN ACCORDANCE WITH § 9-229 OF THE TAX - PROPERTY ARTICLE; AND

(II) NOTIFYING THE DEPARTMENT OF THE LEGISLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83A, § 5-1408(a).

Defined terms: "Brownfields Revitalization Incentive Program" § 5-301  
 "Brownfields site" § 5-301  
 "County" § 1-101

5-337. FINANCIAL ASSISTANCE FOR ENVIRONMENTAL SITE ASSESSMENTS.

(A) IN GENERAL.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DEPARTMENT MAY PROVIDE TO A PERSON, INCLUDING A RESPONSIBLE PERSON, A LOW-INTEREST LOAN OR GRANT TO CONDUCT THE ENVIRONMENTAL SITE ASSESSMENT OF A POTENTIAL BROWNFIELDS SITE THAT IS REQUIRED TO PARTICIPATE IN THE VOLUNTARY CLEANUP PROGRAM UNDER TITLE 7, SUBTITLE 5 OF THE ENVIRONMENT ARTICLE, IF THE PERSON:

- (1) HAS NOT ALREADY APPLIED TO PARTICIPATE IN THE PROGRAM;
- (2) IS OTHERWISE ELIGIBLE TO PARTICIPATE IN THE PROGRAM; AND
- (3) MEETS THE ELIGIBILITY REQUIREMENTS THAT THE DEPARTMENT SETS.