

~~(3)~~ (4) "PRIVATE DEVELOPER" MEANS A PERSON, OTHER THAN THE FEDERAL GOVERNMENT OR AN AGENCY THEREOF, THAT OWNS FEDERAL ENCLAVE PROPERTY OR HOLDS AN INTEREST OR PRIVILEGE UNDER § 6-102(E) OF THIS ARTICLE IN FEDERAL ENCLAVE PROPERTY.

(B) (1) SUBJECT TO THE PROVISIONS OF THIS SECTION, ~~THE MARYLAND DEPARTMENT OF TRANSPORTATION~~ AND ON INITIATION BY THE LOCAL JURISDICTION WHERE THE FEDERAL ENCLAVE PROPERTY IS LOCATED, THE LOCAL JURISDICTION AND THE STATE MAY JOINTLY ENTER INTO A PAYMENT AGREEMENT IN LIEU OF A TAX AGREEMENT WITH ~~THE FEDERAL GOVERNMENT~~ OR A PRIVATE DEVELOPER FOR FEDERAL ENCLAVE PROPERTY.

(2) AN AGREEMENT AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NOT EFFECTIVE UNTIL IT IS APPROVED BY THE FEDERAL GOVERNMENT.

(3) (I) A LOCAL JURISDICTION SHALL INITIATE ANY DISCUSSIONS TO NEGOTIATE A PAYMENT IN LIEU OF TAX AGREEMENT WITH A PRIVATE DEVELOPER OF FEDERAL ENCLAVE PROPERTY NO LATER THAN 30 DAYS AFTER RECEIVING WRITTEN NOTICE BY THE PRIVATE DEVELOPER OR THE FEDERAL GOVERNMENT THAT A DEVELOPMENT HAS BEEN PROPOSED FOR THE FEDERAL ENCLAVE PROPERTY.

(II) WHEN ANY DISCUSSIONS TO NEGOTIATE A PAYMENT IN LIEU OF TAX AGREEMENT HAVE COMMENCED, THE MARYLAND DEPARTMENT OF TRANSPORTATION SHALL NOTIFY THE LEGISLATIVE POLICY COMMITTEE WITHIN 30 DAYS.

~~(2)~~ (4) FEDERAL ENCLAVE PROPERTY IS NOT SUBJECT TO PROPERTY TAX IF ~~THE FEDERAL GOVERNMENT~~ OR A PRIVATE DEVELOPER ENTERS INTO A ~~NEGOTIATED PAYMENT AGREEMENT~~ IN LIEU OF A TAX AGREEMENT WITH ~~THE MARYLAND DEPARTMENT OF TRANSPORTATION~~ STATE AND THE LOCAL JURISDICTION WHERE THE FEDERAL ENCLAVE PROPERTY IS LOCATED.

~~(3)~~ (5) THE PARTIES TO AN AGREEMENT UNDER THIS SUBSECTION AND THE FEDERAL GOVERNMENT SHALL CONSIDER THE TOTAL IMPACT AND BENEFITS OF THE DEVELOPMENT OF THE FEDERAL ENCLAVE PROPERTY ON THE STATE AND ON LOCAL JURISDICTIONS, INCLUDING BUT NOT LIMITED TO: