

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 19

Bill No. 88-25

Mr. Mike Ertel, Chair
By Request of County Executive
&
All Councilmembers

By the County Council, November 17, 2025

A BILL
ENTITLED

AN ACT concerning

Property Tax Credits for Eligible Port Property

FOR the purpose of granting a certain property tax credit for certain marine trade waterfront property; granting a certain property tax credit for certain property located in a foreign trade zone; and generally relating to such property tax credits.

BY adding

Section 11-2-113
Article 11 – Taxation
Title 2 – Ad Valorem Taxes
Subtitle 1 – In General
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

WHEREAS, marine terminals that handle container cargo generate significant economic benefits, including by creating jobs and attracting businesses that benefit from the logistics and supply chain benefits of being located near a container terminal; and

WHEREAS, to promote the potential for development of container terminals in the County and to yield the potential for the significant economic benefits that follow container terminal operations, the Council now proposes to (1) create a real property tax credit for certain marine trade waterfront property, using the authority in § 9-251 of the Tax-Property article of the Annotated Code of Maryland; and (2) create a personal property tax credit for certain property located in a foreign trade zone, using the authority in § 9-231 of the Tax-Property article of the Annotated Code of Maryland; now, therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 11 – TAXATION

Title 2 – Ad Valorem Taxes

Subtitle 1 – In General

§ 11-2-113. PROPERTY TAX CREDITS FOR ELIGIBLE PORT PROPERTY.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) “CONTAINER HANDLING EQUIPMENT” MEANS:

1 (I) THE SPECIALIZED MACHINERY NECESSARY FOR THE SAFE,
2 SECURE, AND EFFICIENT MOVEMENT OF SHIPPING CONTAINERS AT A PORT,
3 INCLUDING:

4 A. SHIP TO SHORE CRANES TO LOAD AND UNLOAD
5 CONTAINERS FROM SHIPS;

6 B. TERMINAL TRACTORS AND ASSOCIATED TRAILERS
7 TO MOVE CONTAINERS WITHIN THE PORT TERMINAL;

8 C. RAIL MOUNTED GANTRY CRANES TO LOAD AND
9 UNLOAD CONTAINERS FROM RAILCARS WITHIN THE TERMINAL INTERMODAL
10 YARD;

11 D. CONTAINER HANDLERS;

12 E. FORKLIFTS HAVING A LOAD CAPACITY GREATER
13 THAN 5 TONS;

14 F. REACH STACKERS AND OTHER SPECIALIZED
15 VEHICLES THAT LIFT, LOWER, AND STACK CONTAINERS; AND

16 G. STRADDLE CARRIERS AND RUBBER TIRE GANTRIES
17 THAT CAN STRADDLE A CONTAINER STACK AND LIFT CONTAINERS FROM THE
18 GROUND OR VEHICLES.

19 (2) "CONTAINER OPERATIONS" MEANS:

20 (I) THE LOADING AND UNLOADING OF INTERMODAL
21 CONTAINERS TO AND FROM COMMERCIAL MARINE VESSELS; AND

22 (II) THE RELATED MOVEMENT, STORAGE, AND
23 TRANSLOADING OF SUCH INTERMODAL CONTAINERS.

1 (3) "FOREIGN TRADE ZONE" MEANS THE ENTIRE AREA DESIGNATED
2 AS FOREIGN-TRADE ZONE NO. 74 UNDER FEDERAL LAW.

3 (4) "ELIGIBLE PORT PROPERTY" MEANS MARINE TRADE
4 WATERFRONT PROPERTY, AS DEFINED IN § 9-251(A) OF THE TAX-PROPERTY
5 ARTICLE OF THE ANNOTATED CODE OF MARYLAND, WHICH IS USED PRIMARILY
6 FOR CONTAINER OPERATIONS.

7 (5) "REQUIRED PAYMENT AMOUNT" MEANS:

8 (I) FOR THE FIRST TAX YEAR OF THE TAX CREDIT
9 AUTHORIZED IN SUBSECTION (B) OF THIS SECTION, 3 TIMES THE AMOUNT OF
10 THE REAL PROPERTY TAX IMPOSED ON THE ELIGIBLE PORT PROPERTY FOR THE
11 TAX YEAR IMMEDIATELY PRECEDING THE TAX YEAR IN WHICH CONSTRUCTION
12 OF FACILITIES FOR CONTAINER OPERATIONS AT THE ELIGIBLE PORT PROPERTY
13 COMMENCED;

14 (II) FOR EACH OF THE SECOND THROUGH 10TH TAX YEARS OF
15 THE TAX CREDIT AUTHORIZED IN SUBSECTION (B) OF THIS SECTION, THE
16 REQUIRED PAYMENT AMOUNT IN EFFECT FOR THE PRIOR TAX YEAR PLUS 2%;
17 AND

18 (III) FOR EACH OF THE 11TH THROUGH 50TH TAX YEARS OF
19 THE TAX CREDIT AUTHORIZED IN SUBSECTION (B) OF THIS SECTION, THE
20 REQUIRED PAYMENT AMOUNT IN EFFECT FOR THE PRIOR TAX YEAR PLUS 3%.

21 (6) "PROPERTY TAX PORTION" MEANS, FOR EACH TAX YEAR OF THE
22 TAX CREDIT AUTHORIZED IN SUBSECTION (B) OF THIS SECTION, THE AMOUNT OF
23 COUNTY REAL PROPERTY TAX LEGALLY IMPOSED ON THE PROPERTY UNDER

1 GENERAL LAW FOR THAT YEAR, BEFORE APPLICATION OF THE TAX CREDIT, NOT
2 TO EXCEED THE REQUIRED PAYMENT AMOUNT.

3 (7) (I) “SUPPLEMENTAL PORT DEVELOPMENT PAYMENT” OR
4 “SPDP” MEANS, FOR EACH TAX YEAR OF THE TAX CREDIT AUTHORIZED IN
5 SUBSECTION (B) OF THIS SECTION, THE AMOUNT BY WHICH THE REQUIRED
6 PAYMENT AMOUNT EXCEEDS THE PROPERTY TAX PORTION.

7 (II) IF THE PROPERTY TAX PORTION EQUALS THE REQUIRED
8 PAYMENT AMOUNT, THE SPDP IS ZERO.

9 (III) THE SPDP IS NOT A TAX, FEE, CHARGE, OR ASSESSMENT
10 OF ANY KIND, MAY NOT BE CREDITED AGAINST ANY TAX LIABILITY, AND IS A
11 MANDATORY PAYMENT MADE SOLELY AS A CONDITION OF RECEIVING THE TAX
12 CREDIT AUTHORIZED UNDER THIS SECTION.

13 (B) (1) THERE IS A PROPERTY TAX CREDIT AGAINST COUNTY REAL
14 PROPERTY TAX IMPOSED ON ELIGIBLE PORT PROPERTY, IN ACCORDANCE WITH
15 THIS SUBSECTION.

16 (2) IN ORDER TO QUALIFY FOR THE TAX CREDIT AUTHORIZED BY
17 THIS SUBSECTION, THE OWNER OF AN ELIGIBLE PORT PROPERTY SHALL SUBMIT
18 AN APPLICATION TO THE DIRECTOR, UNDER OATH, ON A FORM PROVIDED BY
19 THE DIRECTOR.

20 (3) WITHIN 30 DAYS AFTER RECEIVING THE APPLICATION, THE
21 DIRECTOR SHALL GRANT OR DENY THE APPLICATION, PROVIDE NOTICE OF
22 SUCH DECISION TO THE APPLICANT, AND, IN THE CASE OF A DENIAL, STATE IN
23 SUCH NOTICE THE REASONS FOR THE DENIAL.

1 (4) IF THE DIRECTOR DOES NOT GRANT OR DENY THE TAX CREDIT
2 WITHIN 30 DAYS AFTER RECEIVING THE APPLICATION, THE APPLICATION IS
3 DEEMED TO BE APPROVED.

4 (5) AFTER THE APPLICATION IS APPROVED OR DEEMED TO BE
5 APPROVED, THE TAXPAYER AND THE DIRECTOR SHALL ENTER INTO A WRITTEN
6 AGREEMENT:

7 (I) CONFIRMING THE TAXPAYER'S AGREEMENT TO MAKE THE
8 ~~PAYMENT OF COUNTY PROPERTY TAX REQUIRED BY SUBPARAGRAPH (I)~~
9 PAYMENTS REQUIRED UNDER SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (7)
10 OF THIS SUBSECTION, IN CONSIDERATION OF THE COUNTY GRANTING THE TAX
11 CREDITS CONTEMPLATED BY THIS SUBSECTION AND SUBSECTION (C) OF THIS
12 SECTION;

13 (II) CONFIRMING THE REQUIREMENTS FOR THE ELIGIBLE
14 PORT PROPERTY TO BE CONSIDERED OPERATIONAL AND THAT THE TAX CREDIT
15 WILL COMMENCE IN THE ~~IMMEDIATELY SUBSEQUENT TAX YEAR~~ IN WHICH THE
16 ELIGIBLE PORT PROPERTY WAS DETERMINED TO BE OPERATIONAL;

17 (III) CONFIRMING THAT THE ELIGIBLE PORT PROPERTY MUST
18 BE IN SUBSTANTIALLY CONTINUOUS USE FOR CONTAINER OPERATIONS FOR THE
19 DURATION OF THE 50-YEAR TAX CREDIT PERIOD AND ESTABLISHING AN
20 ANNUAL INSPECTION PROCESS TO VALIDATE SUCH CONTINUOUS OPERATION;

21 (IV) CONFIRMING THAT THE TAXPAYER'S RIGHT TO RECEIVE
22 SUCH TAX CREDITS, FOR THE ENTIRE 50-YEAR TAX CREDIT PERIOD DESCRIBED
23 IN SUBPARAGRAPH (III) OF PARAGRAPH (5) OF THIS SUBSECTION, CONSTITUTES

1 A PROPERTY RIGHT OF THE TAXPAYER AND IS VESTED WHEN THE ELIGIBLE
2 PORT PROPERTY IS USED FOR CONTAINER OPERATIONS, AS SPECIFIED IN THE
3 AGREEMENT; AND

4 (V) REQUIRING THE COUNTY AND TAXPAYER TO EXECUTE A
5 SUBSEQUENT WRITTEN NOTICE CONFIRMING:

6 A. THE DATE THE ELIGIBLE PORT PROPERTY WAS
7 DETERMINED TO BE IN USE FOR CONTAINER OPERATIONS;

8 B. THE TAX YEAR IN WHICH THE 50-YEAR CREDIT WILL
9 COMMENCE; AND

10 C. THE TAX YEAR IN WHICH THE 50-YEAR PERIOD WILL
11 EXPIRE.

12 (6) A TAX CREDIT GRANTED UNDER THIS SUBSECTION SHALL:

13 (I) BEGIN IN THE TAX YEAR IN WHICH THE ELIGIBLE PORT
14 PROPERTY WAS DETERMINED TO BE OPERATIONAL, BUT NOT LATER THAN THE
15 TENTH YEAR FOLLOWING THE TAX YEAR IN WHICH CONSTRUCTION OF
16 FACILITIES FOR CONTAINER OPERATIONS AT THE ELIGIBLE PORT PROPERTY
17 COMMENCED, AS SET FORTH IN THE WRITTEN NOTICE EXECUTED PURSUANT TO
18 SUBPARAGRAPH (V) OF PARAGRAPH (5) OF THIS SUBSECTION; AND

19 (II) CONTINUE FOR A TOTAL OF 50 YEARS.

20 (7) FOR EACH TAX YEAR OF A TAX CREDIT GRANTED UNDER THIS
21 SUBSECTION, THE TAXPAYER SHALL:

1 (I) PAY COUNTY PROPERTY TAX ON THE ELIGIBLE PORT
2 PROPERTY IN AN AMOUNT EQUAL TO THE PROPERTY TAX PORTION OF THE
3 REQUIRED PAYMENT AMOUNT; ~~AND~~

4 (II) PAY THE SUPPLEMENTAL PORT DEVELOPMENT PAYMENT
5 (SPDP), IF APPLICABLE, IN AN AMOUNT THAT, TOGETHER WITH THE PROPERTY
6 TAX PORTION, EQUALS THE REQUIRED PAYMENT AMOUNT; AND

7 ~~(H)~~ (III) RECEIVE A TAX CREDIT OF 100% AGAINST ALL
8 COUNTY PROPERTY TAX IMPOSED ON THE ELIGIBLE PORT PROPERTY IN EXCESS
9 OF THE REQUIRED PAYMENT AMOUNT.

10 (8) THE SPDP SHALL BE PAID TO THE COUNTY IN THE MANNER AND
11 ON THE SCHEDULE SPECIFIED IN THE WRITTEN AGREEMENT REQUIRED BY
12 PARAGRAPH (5) OF THIS SUBSECTION.

13 ~~(8)~~ (9) A TAX CREDIT GRANTED UNDER THIS SUBSECTION RUNS
14 WITH THE PROPERTY, AND A CHANGE IN OWNERSHIP DOES NOT RESULT IN A
15 LAPSE OF THE TAX CREDIT, SO LONG AS THE ELIGIBLE PORT PROPERTY IS USED
16 FOR CONTAINER OPERATIONS.

17 (C) (1) THERE IS A PROPERTY TAX CREDIT OF 100% AGAINST ALL
18 COUNTY PERSONAL PROPERTY TAX IMPOSED ON CONTAINER HANDLING
19 EQUIPMENT USED IN CONNECTION WITH CONTAINER OPERATIONS AT ELIGIBLE
20 PORT PROPERTY IN THE FOREIGN TRADE ZONE FOR WHICH A TAX CREDIT
21 UNDER SUBSECTION (B) OF THIS SECTION HAS BEEN GRANTED.

22 (2) A TAXPAYER CLAIMING A TAX CREDIT UNDER THIS SUBSECTION
23 SHALL PROVIDE TO THE DIRECTOR, UPON REQUEST, AN ITEMIZED LIST OF THE

1 CONTAINER HANDLING EQUIPMENT FOR WHICH THE TAXPAYER CLAIMED SUCH
2 EXEMPTION.

3 (D) (1) WITHIN 6 MONTHS OF THE APPROVAL OF THE APPLICATION
4 UNDER PARAGRAPHS (3) OR (4) OF SUBSECTION (B), THE APPLICANT AND THE
5 COUNTY SHALL BEGIN A NEGOTIATION IN GOOD FAITH TO ENTER INTO A
6 REPORTING AGREEMENT.

7 (2) A REPORTING AGREEMENT UNDER THIS SUBSECTION SHALL
8 INCLUDE:

9 (I) AT LEAST ONE DEVELOPMENT AND PLANNING UPDATE TO
10 BE PROVIDED TO THE COUNTY AT LEAST ONE YEAR PRIOR TO THE TAX YEAR
11 THE APPLICANT ANTICIPATES THE PORT TO BE OPERATIONAL; AND

12 (II) A REPORT, UPDATED AT REGULAR INTERVALS
13 FOLLOWING COMMENCEMENT OF THE TAX CREDIT NOT TO EXCEED 10 YEARS,
14 ON THE VALUATION OF ALL PROPERTY FOR WHICH A CREDIT IS GRANTED
15 UNDER THIS SECTION AND THE APPLICANT'S TAX SAVINGS UNDER THIS
16 SECTION.

17 (E) BASED UPON THE REPORTS GIVEN TO THE COUNTY BY THE APPLICANT
18 UNDER SUBSECTION (D), THE DIRECTOR OF THE OFFICE OF BUDGET AND
19 FINANCE SHALL NOTIFY THE COUNTY COUNCIL IF THE VALUE OF THE TAX
20 CREDITS GRANTED UNDER THIS SECTION EXCEEDS 95% OF THE TAXES THAT
21 WOULD HAVE OTHERWISE BEEN DUE ABSENT THE CREDIT.

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
2 the affirmative vote of five members of the County Council, shall take effect on December 29,
3 2025.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - BILL

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

☐☐

Councilman Patoka

☐☐

Councilman Kach

☐☐

Councilman Jones

☐☐

Councilman Marks

☐☐

Councilman Ertel

☐☐

Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

☐☐

Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

AYE

NAY

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION

SECOND

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Councilman Young

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Councilman Patoka

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Councilman Kach

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Councilman Jones

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Councilman Marks

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Councilman Ertel

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Councilman Crandell