Bill No. 9-17

Concerning: Fuel-Energy Tax – Exemptions - Amendments

Revised: May 10, 2017 Draft No. 8

Introduced: April 4, 2017

Expires: October 4, 2018

Enacted: May 16, 2017

Executive: May 25, 2017

Effective: July 1, 2018

Sunset Date: None

Ch. 15 , Laws of Mont. Co. 2017

**County Council**

**For Montgomery County, Maryland**

Lead Sponsor: Councilmember Leventhal

Co-sponsors: Council President Berliner, Councilmembers Elrich, Hucker, Katz, Rice, Council Vice President Riemer, and Councilmember Navarro

**AN ACT** to:

(1) exempt the energy generated by a renewable source in the County by a community solar energy generating system through a virtual net energy metering agreement from the County fuel-energy tax; and

(2) generally amend the exemptions from the County fuel-energy tax.

By amending

Montgomery County Code

Chapter 52, Taxation

Section 52-14

**Boldface** *Heading or defined term.*

Underlining *Added to existing law by original bill.*

**[**Single boldface brackets**]** *Deleted from existing law by original bill.*

Double underlining *Added by amendment.*

**[[**Double boldface brackets**]]** *Deleted from existing law or the bill by amendment.*

\* \* \* *Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 52-14 is amended as follows:**

**52-14. Fuel-energy tax.**

(a) (1) A tax is levied and imposed on every person transmitting, distributing, manufacturing, producing, or supplying electricity, gas, steam, coal, fuel oil, or liquefied petroleum gas in the County.

\* \* \*

(4) The tax does not apply to energy that is generated from a renewable source located:

(A) in the County and either used on the site where it is generated or subject to a net energy metering agreement (as defined in state law) with a public utility; or

(B) in the same electric service territory in Maryland as the subscriber using the energy and subject to a virtual net energy metering agreement (as defined in state law) with a public utility.

Renewable source means a “Tier 1 renewable source” as defined in Section 7-701(l) of the Public Utilities Article of the Maryland Code or any successor provision.

\* \* \*

**Sec. 2. Effective date.**

This Act takes effect on July 1, 2018.

*Approved:*

/s/ 5/17/17

Roger Berliner, President, County Council Date

*Approved:*

/s/ 5/25/17

Isiah Leggett, County Executive Date

*This is a correct copy of Council action.*

/s/ 5/25/17

Linda M. Lauer, Clerk of the Council Date