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By: **Delegates Frush, Barkley, Bartlett, Boschert, Conroy, Gaines, Goodwin, Healey, Holmes, Hubbard, King, Menes, Moe, Myers, Niemann, Parker, and ~~Ross~~ Ross, Gordon, Howard, and McKee**

Introduced and read first time: January 26, 2005

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Municipal Corporations - Special Taxing Districts for ~~Police and Fire~~**  
 3 **Protection - Public Safety**

4 FOR the purpose of authorizing municipal corporations in the State to create within  
 5 their respective corporate limits special taxing districts for the purpose of  
 6 financing certain capital and operating costs to enhance police ~~and fire~~  
 7 ~~protection in certain areas~~, fire protection, and rescue services; authorizing  
 8 municipal corporations to fix, impose, and collect certain taxes and issue bonds  
 9 or other obligations for certain purposes; and generally relating to authorization  
 10 for municipal corporations in the State to create special taxing districts for  
 11 certain purposes.

12 BY repealing and reenacting, with amendments,  
 13 Article 23A - Corporations - Municipal  
 14 Section 44(a)  
 15 Annotated Code of Maryland  
 16 (2001 Replacement Volume and 2004 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 18 MARYLAND, That the Laws of Maryland read as follows:

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**Article 23A - Corporations - Municipal**

2 44.

3 (a) Pursuant to the provisions of § 5 of Article XI-E of the Constitution of  
4 Maryland prohibiting any municipal corporation classified by the General Assembly  
5 under the provisions of § 2 of Article XI-E of the Constitution of Maryland from  
6 levying any type of tax, license fee, franchise tax or fee which was not in effect in the  
7 municipal corporation on January 1, 1954, unless it has received the express  
8 authorization of the General Assembly for that purpose, by a general law which in its  
9 terms and its effect applies alike to all similarly classified municipal corporations, the  
10 General Assembly hereby expressly authorizes all municipal corporations in this  
11 State within the class created by § 10 of this article for the purpose of financing the  
12 design, construction, establishment, extension, alteration or acquisition of adequate  
13 storm drainage systems, for the purpose of financing the design, acquisition,  
14 establishment, improvement, extension, operation or alteration of public parking  
15 facilities, or pedestrian malls, for the purpose of financing the design, acquisition,  
16 erection, construction, improvement and maintenance of street and area lighting, FOR  
17 THE PURPOSE OF FINANCING THE CAPITAL AND OPERATING COSTS TO ENHANCE  
18 ~~POLICE AND FIRE PROTECTION IN AREAS DETERMINED BY THE MUNICIPAL~~  
19 ~~CORPORATION TO REQUIRE ADDITIONAL PUBLIC SAFETY SERVICES, FIRE~~  
20 PROTECTION, AND RESCUE SERVICES, and for the purposes set forth in § 2(b)(35) of  
21 this article, to create within their respective corporate limits special taxing districts  
22 for these purposes and to levy on all real and personal property located within these  
23 special taxing districts an ad valorem tax at a rate sufficient to provide adequate  
24 annual revenues to pay the principal and interest on any bonds or other obligations of  
25 the municipality issued for these purposes as the principal and interest become due,  
26 and to pay the costs of operating and maintaining these facilities and activities. These  
27 taxes shall be levied in the same manner, upon the same assessments, for the same  
28 period or periods, and as of the same date or dates of finality as are now or may  
29 hereafter be prescribed.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect July 1, 2005.