

# HOUSE BILL 1636

C7, L6

6lr3852  
CF SB 1164

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By: **Delegate Clippinger**

Introduced and read first time: March 7, 2016

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 16, 2016

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – South Baltimore Gateway Community ~~Benefits~~ Impact District**  
3 **and Distribution of Local Impact Grants**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish  
5 ~~certain community benefits district management authorities to include~~ the South  
6 Baltimore Gateway Community ~~Benefits~~ Impact District and South Baltimore  
7 Gateway Community Impact District Management Authority; requiring the  
8 ordinance establishing the South Baltimore Gateway Community ~~Benefits~~ Impact  
9 District Management Authority to specify and modify the boundaries of the district  
10 in a certain manner; requiring the district to include certain neighborhoods;  
11 requiring the establishing ordinance to address certain matters, including the  
12 powers and functions of the Authority, the duration of the Authority, the boundaries  
13 of the district, and the organization and method of initial appointment of officers and  
14 board members of the Authority; providing that a certain financial plan of the  
15 Authority shall be subject to the approval of the Baltimore City Board of Estimates;  
16 providing for the membership of the Authority; specifying the powers of the  
17 Authority; prohibiting the Authority from taking certain actions; prohibiting an  
18 officer or employee of the Authority from acting, in a certain capacity, as an agent or  
19 employee of the Mayor and City Council of Baltimore City or the State; ~~exempting~~  
20 ~~the ordinance establishing the district or Authority from a certain requirement that~~  
21 ~~the ordinance be submitted to certain affected voters in a special election~~; requiring  
22 the City Council to consider certain views and make certain determinations in  
23 adopting an ordinance under this Act; requiring the Mayor and City Council to  
24 review and determine the effectiveness and desirability of continuing the existence

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 of the district in a certain manner; providing that the district shall cease to exist and  
 2 the Authority shall continue to exist for a certain duration under certain  
 3 circumstances; prohibiting the Mayor and City Council from permitting a reduction  
 4 in certain services; providing that certain unspent funds shall revert to the City's  
 5 General Fund under certain circumstances; requiring, starting in a certain fiscal  
 6 year, a certain percentage of local impact grants from video lottery proceeds to be  
 7 distributed to the Authority each year; making certain conforming changes;  
 8 providing for the effective date of certain provisions of this Act; and generally  
 9 relating to the distribution of certain local impact grants in Baltimore City and the  
 10 establishment of the South Baltimore Gateway Community ~~Benefits~~ Impact District.

11 BY ~~repealing and reenacting, with amendments,~~ adding to

12 The Charter of Baltimore City

13 Article II – General Powers

14 Section ~~(63)~~ (69)

15 (2007 Replacement Volume, as amended)

16 BY repealing and reenacting, with amendments,

17 Article – State Government

18 Section 9–1A–31(b)(3)

19 Annotated Code of Maryland

20 (2014 Replacement Volume and 2015 Supplement)

21 BY repealing and reenacting, with amendments,

22 The Charter of Baltimore City

23 Article II – General Powers

24 Section ~~(63)(e-1)(1)(i)~~ (69)(c)(1)(i)

25 (2007 Replacement Volume, as amended)

26 (As enacted by Section 1 of this Act)

27 BY repealing and reenacting, with amendments,

28 Article – State Government

29 Section 9–1A–31(b)(3)

30 Annotated Code of Maryland

31 (2014 Replacement Volume and 2015 Supplement)

32 (As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the

33 Second Special Session of 2012)

34 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

35 That the Laws of Maryland read as follows:

36 **The Charter of Baltimore City**

37 Article II – General Powers

38 The Mayor and City Council of Baltimore shall have full power and authority to  
 39 exercise all of the powers heretofore or hereafter granted to it by the Constitution of

1 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in  
2 particular, without limitation upon the foregoing, shall have power by ordinance, or such  
3 other method as may be provided for in its Charter, subject to the provisions of said  
4 Constitution and Public General Laws:

5 ~~(63)~~

6 ~~(a) (1) To establish, by ordinance, not more than six community benefits~~  
7 ~~district management authorities, including the Charles Village Community Benefits~~  
8 ~~District [and], the Midtown Community Benefits District, AND THE SOUTH BALTIMORE~~  
9 ~~GATEWAY COMMUNITY BENEFITS DISTRICT, within the City to provide services~~  
10 ~~consistent with paragraph (2) of this subsection to the business interests and residents of~~  
11 ~~the proposed district.~~

12 ~~(2) To establish community benefits district management authorities to~~  
13 ~~promote and market districts, provide supplemental security and maintenance services,~~  
14 ~~provide amenities in public areas, provide park and recreational programs and functions,~~  
15 ~~and after an authority is established, other services and functions as requested by the~~  
16 ~~authority and approved through an ordinance by the Mayor and City Council.~~

17 ~~(3) To provide that community benefits district management authorities~~  
18 ~~shall be proposed by the Board of Estimates of Baltimore City and approved through an~~  
19 ~~ordinance by the Mayor and City Council.~~

20 ~~(b) (1) The ordinance establishing the Charles Village Community Benefits~~  
21 ~~District Management Authority shall specify and modify the boundaries of the district, but~~  
22 ~~in no event shall the district be outside of the lines, as follows:~~

23 ~~(i) on the south, a line beginning at the intersection of the center~~  
24 ~~lines of 20th Street and Howard Street, running east along the center line of 20th Street to~~  
25 ~~the center line of Guilford Avenue; then~~

26 ~~(ii) running north along the center line of Guilford Avenue to the~~  
27 ~~center line of 25th Street; then~~

28 ~~(iii) running east along the center line of 25th Street to the center~~  
29 ~~line of Loch Raven Boulevard; then running northeast along the centerline of Loch Raven~~  
30 ~~Boulevard to the center line of the tracks of the CSX Railroad (approximately 500 feet north~~  
31 ~~of 25th Street); then~~

32 ~~(iv) running west along the center line of the CSX railroad tracks to~~  
33 ~~the center line of Greenmount Avenue; then~~

34 ~~(v) running north along the center line of Greenmount Avenue to the~~  
35 ~~center line of Old York Road; then~~

1 ~~(vi) running north along the center line of Old York Road to the~~  
2 ~~center line of 43rd Street; then~~

3 ~~(vii) running west along the center line of 43rd Street to the center~~  
4 ~~line of Greenmount Avenue; then~~

5 ~~(viii) running south along the center line of Greenmount Avenue to the~~  
6 ~~center line of 33rd Street; then~~

7 ~~(ix) running west along the center line of 33rd Street to the center~~  
8 ~~line of Charles Street; then~~

9 ~~(x) running south along the center line of Charles Street to the~~  
10 ~~center line of 29th Street; then~~

11 ~~(xi) running west along the center line of 29th Street to the center~~  
12 ~~line of Howard Street; then running south along the center line of Howard Street to the~~  
13 ~~center line of 26th Street; then~~

14 ~~(xii) running west along the center line of 26th Street to the center~~  
15 ~~line of Huntingdon Avenue; then running south along the center line of Huntingdon Avenue~~  
16 ~~to the center line of 25th Street; then~~

17 ~~(xiii) running east along the center line of 25th Street to the center~~  
18 ~~line of Howard Street; then~~

19 ~~(xiv) running south along the center line of Howard Street to the~~  
20 ~~center line of 24th Street; then~~

21 ~~(xv) running west along the center line of 24th Street to the center~~  
22 ~~line of Huntingdon Avenue; then~~

23 ~~(xvi) running south along the center line of Huntingdon Avenue to the~~  
24 ~~center line of 23rd Street; then running west along the center line of 23rd Street to the~~  
25 ~~center line of Huntingdon Avenue; then~~

26 ~~(xvii) running south along the center line of Huntingdon Avenue to the~~  
27 ~~center line of 21st Street; then~~

28 ~~(xviii) running east along the center line of 21st Street to the center line~~  
29 ~~of Howard Street; then~~

30 ~~(xix) running south along the center line of Howard Street to the~~  
31 ~~center line of 20th Street (point of origin).~~

1 ~~(2) Notwithstanding paragraph (1) of this subsection, the Charles Village~~  
2 ~~Community Benefits District may include properties binding on either side of a street or~~  
3 ~~the CSX railroad tracks where they comprise part of the boundaries under this subsection.~~

4 ~~(B-1)~~

5 **(69)**

6 **(A) (1) TO ESTABLISH, BY ORDINANCE, THE SOUTH BALTIMORE**  
7 **GATEWAY COMMUNITY IMPACT DISTRICT WITHIN THE CITY TO PROVIDE SERVICES**  
8 **CONSISTENT WITH PARAGRAPH (2) OF THIS SUBSECTION TO THE BUSINESS**  
9 **INTERESTS AND RESIDENTS OF THE PROPOSED DISTRICT.**

10 **(2) TO ESTABLISH THE SOUTH BALTIMORE GATEWAY COMMUNITY**  
11 **IMPACT DISTRICT MANAGEMENT AUTHORITY TO PROMOTE AND MARKET THE**  
12 **DISTRICT, PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES,**  
13 **PROVIDE AMENITIES IN PUBLIC AREAS, PROVIDE PARK AND RECREATIONAL**  
14 **PROGRAMS AND FUNCTIONS, AND AFTER THE AUTHORITY IS ESTABLISHED, OTHER**  
15 **SERVICES AND FUNCTIONS AS REQUESTED BY THE AUTHORITY AND APPROVED**  
16 **THROUGH AN ORDINANCE BY THE MAYOR AND CITY COUNCIL.**

17 **(B) (1) THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE**  
18 **GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY**  
19 **SHALL SPECIFY AND MODIFY THE BOUNDARIES OF THE DISTRICT, BUT IN NO EVENT**  
20 **SHALL THE DISTRICT BE OUTSIDE THE LINES, AS FOLLOWS:**

21 **(I) ON THE SOUTH, A LINE BEGINNING AT THE INTERSECTION**  
22 **OF THE ~~CENTER LINES OF PATAPSCO AVENUE AND POTEE STREET,~~ RUNNING**  
23 **~~NORTH ALONG THE CENTER LINE OF POTEE STREET TO THE CENTER LINE OF~~**  
24 **~~HOWARD STREET~~ CITY LINE AND THE CENTER LINE OF THE PATAPSCO RIVER,**  
25 **RUNNING NORTH ALONG THE CENTER LINE OF THE PATAPSCO RIVER TO HANOVER**  
26 **STREET; THEN**

27 **(II) RUNNING NORTH ALONG ~~THE CENTER LINE OF~~ HANOVER**  
28 **STREET TO ~~THE CENTER LINE OF~~ McCOMAS STREET; THEN**

29 **(III) RUNNING EAST ALONG ~~THE CENTER LINE OF~~ McCOMAS**  
30 **STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN**

31 **(IV) RUNNING NORTHEAST ALONG THE CENTER LINE OF KEY**  
32 **HIGHWAY TO THE CENTER LINE OF EAST FORT AVENUE; THEN**

33 **(V) RUNNING SOUTHEAST ALONG THE CENTER LINE OF EAST**  
34 **FORT AVENUE TO THE CENTER LINE OF STEVENSON STREET; THEN**

1                    (VI) RUNNING NORTHEAST ALONG THE CENTER LINE OF  
2 STEVENSON STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

3                    ~~(IV)~~ (VII)    RUNNING NORTH ALONG THE CENTER LINE OF KEY  
4 HIGHWAY TO THE CENTER LINE OF LIGHT STREET; THEN

5                    ~~(V)~~ (VIII)    RUNNING NORTH ALONG THE CENTER LINE OF LIGHT  
6 STREET TO THE CENTER LINE OF ~~LOMBARD~~ EAST CONWAY STREET; THEN

7                    (IX)    RUNNING WEST ALONG THE CENTER LINE OF EAST CONWAY  
8 STREET TO THE CENTER LINE OF SOUTH HOWARD STREET; THEN

9                    (X)    RUNNING NORTH ALONG THE CENTER LINE OF SOUTH  
10 HOWARD STREET TO THE CENTER LINE OF WEST CAMDEN STREET; THEN

11                    (XI)    RUNNING WEST ALONG THE CENTER LINE OF WEST  
12 CAMDEN STREET TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

13                    (XII)    RUNNING SOUTHWEST ALONG THE CENTER LINE OF  
14 WASHINGTON BOULEVARD TO THE CENTER LINE OF SOUTH GREENE STREET; THEN

15                    (XIII)    RUNNING NORTH ALONG SOUTH GREENE STREET TO THE  
16 CENTER LINE OF WEST PRATT STREET; THEN

17                    (XIV)    RUNNING WEST ALONG THE CENTER LINE OF WEST PRATT  
18 STREET TO THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR  
19 BOULEVARD; THEN

20                    (XV)    RUNNING NORTH ALONG THE CENTER LINE OF SOUTH  
21 MARTIN LUTHER KING JUNIOR BOULEVARD TO THE CENTER LINE OF WEST  
22 LOMBARD STREET; THEN

23                    ~~(VI)~~ (XVI)    RUNNING WEST ALONG THE CENTER LINE OF WEST  
24 LOMBARD STREET TO THE CENTER LINE OF SCOTT STREET; THEN

25                    ~~(VII)~~ (XVII)    RUNNING SOUTH ALONG THE CENTER LINE OF SCOTT  
26 STREET TO THE CENTER LINE OF PRATT STREET; THEN

27                    ~~(VIII)~~ (XVIII)    RUNNING WEST ALONG THE CENTER LINE OF  
28 PRATT STREET TO THE CENTER LINE OF CAREY STREET; THEN

1                   ~~(IX)~~ (XIX)    RUNNING SOUTH ALONG THE CENTER LINE OF CAREY  
2 STREET TO THE CENTER LINE OF THE TRACKS OF THE BALTIMORE AND OHIO  
3 RAILROAD; THEN

4                   ~~(X)~~ (XX)     RUNNING WEST ALONG THE CENTER LINE OF THE  
5 TRACKS OF THE BALTIMORE AND OHIO RAILROAD TO THE GWYNNS FALLS; THEN

6                   ~~(XI)~~ (XXI)    RUNNING SOUTH ALONG THE CENTER LINE OF THE  
7 GWYNNS FALLS TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

8                   ~~(XII)~~ (XXII)    RUNNING WEST ALONG THE CENTER LINE OF  
9 WASHINGTON BOULEVARD TO THE CENTER LINE OF HOLLINS FERRY ROAD; THEN

10                  ~~(XIII)~~ (XXIII)     RUNNING SOUTH ALONG THE CENTER LINE OF  
11 HOLLINS FERRY ROAD TO THE CENTER LINE OF THE TRACKS OF THE CSX  
12 RAILROAD; THEN

13                  ~~(XIV)~~ (XXIV)     RUNNING SOUTHWEST ALONG THE CENTER  
14 LINE OF THE TRACKS OF THE CSX RAILROAD TO THE ~~CENTER LINE OF PATAPSCO~~  
15 ~~AVENUE~~ CITY LINE; THEN

16                  (XXV)         RUNNING SOUTHEAST ALONG THE CITY LINE TO THE  
17 CENTER LINE OF THE PATAPSCO RIVER (POINT OF ORIGIN).

18                  (2)    NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE  
19 SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT SHALL  
20 INCLUDE PROPERTIES WITHIN THE SAINT PAUL, MOUNT WINANS, LAKELAND,  
21 CHERRY HILL, WESTPORT, CARROLL PARK, CARROLL-CAMDEN INDUSTRIAL  
22 AREA, PIGTOWN/WASHINGTON VILLAGE, BARRE CIRCLE, RIDGELY'S DELIGHT,  
23 OTTERBEIN, FEDERAL HILL, RIVERSIDE, SOUTH BALTIMORE, STADIUM AREA,  
24 SPRING GARDEN INDUSTRIAL AREA, MIDDLE BRANCH/REEDBIRD PARKS, AND  
25 WESTPORT NEIGHBORHOOD STATISTICAL AREAS ACCORDING TO THE 2011  
26 NEIGHBORHOOD STATISTICAL AREAS MAP.

27                  ~~(e)    An ordinance establishing a community benefits district management~~  
28 ~~authority shall address the following:~~

29                  ~~(1)    specify the powers and functions within the limits of this section, which~~  
30 ~~may be exercised and conducted by the Authority and the amount of taxes or charges which~~  
31 ~~may be imposed on properties in the district.~~

32                  ~~(2)    specify the duration of the Authority and define the boundaries of the~~  
33 ~~district.~~

~~(3) provide for the imposition and collection of the taxes or charges and for disbursement of the revenue therefrom to the Authority. The financial plan of the Authority, including its annual budget and its tax rate and schedule of charges, shall be subject to approval by the Board of Estimates. Taxes and charges imposed under this paragraph may not exceed those proposed by the Authority.~~

~~(4) determine the organization and method of initial appointment of officers and board members of the Authority. The majority of the members of the board shall be owners or representatives of owners of properties in the district that are subject to taxes or charges under this section. A voting member of the board must be eligible to vote in the election under subsection [(j)] (k) of this section.~~

~~(5) determine what classes of property in the district owned by public service companies as defined in [Article 78] THE PUBLIC UTILITIES ARTICLE of the Annotated Code of Maryland shall be subject to or exempt from taxes or charges under this section.~~

~~(C-1) (C) (1) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE~~  
**THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY**  
**BENEFITS IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL ADDRESS THE**  
**FOLLOWING:**

**(I) SPECIFY THE POWERS AND FUNCTIONS WITHIN THE LIMITS OF THIS SECTION, WHICH MAY BE EXERCISED AND CONDUCTED BY THE AUTHORITY AND FUND THE AUTHORITY WITH NOT LESS THAN 50% OF THE LOCAL IMPACT GRANTS FROM VIDEO LOTTERY PROCEEDS DISTRIBUTED TO BALTIMORE CITY UNDER § 9-1A-31(A)(1)(I) OF THE STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND;**

**(II) SPECIFY THE DURATION OF THE AUTHORITY AND DEFINE THE BOUNDARIES OF THE DISTRICT;**

**(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROVIDE FOR THE DISBURSEMENT OF THE REVENUE FROM LOCAL IMPACT GRANTS TO THE AUTHORITY; AND**

**(IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, DETERMINE THE ORGANIZATION AND METHOD OF INITIAL APPOINTMENT OF OFFICERS AND BOARD MEMBERS OF THE AUTHORITY.**

**(2) THE FINANCIAL PLAN OF THE AUTHORITY, INCLUDING ITS ANNUAL BUDGET, SHALL BE SUBJECT TO APPROVAL BY THE BOARD OF ESTIMATES.**

**(3) (I) THE BOARD SHALL CONSIST OF NOT MORE THAN ~~19~~ 21 MEMBERS.**

1 (II) THE MAJORITY OF THE MEMBERS OF THE BOARD SHALL BE  
2 RESIDENTS OF THE DISTRICT.

3 (III) THE AUTHORITY SHALL BE CHAIRED BY AN INDIVIDUAL  
4 APPOINTED BY THE STATE SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT  
5 WHERE THE VIDEO LOTTERY FACILITY IS LOCATED.

6 ~~(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE~~  
7 ~~AUTHORITY'S BOARD SHALL INCLUDE TWO STATE DELEGATES WHO REPRESENT~~  
8 ~~THE LEGISLATIVE DISTRICT OR DISTRICTS WHERE COMMUNITIES SURROUNDING~~  
9 ~~THE VIDEO LOTTERY FACILITY ARE LOCATED.~~

10 ~~(V) (IV) THE STATE DELEGATES SHALL BE~~ SUBJECT TO  
11 SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE AUTHORITY'S BOARD SHALL  
12 INCLUDE FOUR MEMBERS DESIGNATED BY THE SPEAKER OF THE HOUSE.

13 ~~(VI) THE CHAIR OF THE AUTHORITY SHALL SELECT TWO~~  
14 ~~MEMBERS OF THE BOARD.~~

15 (V) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH,  
16 TWO MEMBERS OF THE AUTHORITY'S BOARD SHALL BE DESIGNATED BY THE STATE  
17 SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO  
18 LOTTERY FACILITY IS LOCATED.

19 (VI) OF THE SIX MEMBERS DESIGNATED UNDER  
20 SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH:

21 1. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF  
22 THE 40TH LEGISLATIVE DISTRICT; AND

23 2. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF  
24 THE 46TH LEGISLATIVE DISTRICT.

25 ~~(d) As provided by ordinance, the Authority may have the power:~~

26 ~~(1) to be a special tax district and to conduct the functions which are~~  
27 ~~assigned to it by the City;~~

28 ~~(2) to acquire, hold and use property necessary to achieve its purposes;~~

29 ~~(3) to make contracts;~~

30 ~~(4) to sue and be sued;~~

1 ~~(5) to borrow and accept grants for purposes consistent with the purposes~~  
2 ~~of the Authority;~~

3 ~~(6) to employ and discharge personnel to carry out its public purposes;~~

4 ~~(7) to propose in its annual budget the taxes or charges on properties~~  
5 ~~within the district. Property that is exempt under State law from ordinary property taxes~~  
6 ~~shall be exempt from taxes or charges assessed to support the Authority. Before adopting~~  
7 ~~its proposed budget and making its recommendations to the City, an Authority shall hold~~  
8 ~~a public hearing on taxes or charges proposed for the district. The Authority shall publish~~  
9 ~~notice of the hearing in a newspaper of general circulation in Baltimore City at least once~~  
10 ~~a week for 3 consecutive weeks before the hearing;~~

11 ~~(8) to adopt, amend and modify bylaws, all of which shall be subject to the~~  
12 ~~approval of the Board of Estimates;~~

13 ~~(9) to establish and elect officers and provide for their terms and duties;~~

14 ~~(10) to contract for and purchase goods and services, without being subject~~  
15 ~~to the City requirements regarding wage scales, competitive bidding or other local~~  
16 ~~procurement laws. However, the Authority shall be subject to City ordinances and City~~  
17 ~~policy requiring achievement of goals regarding minority and women's business~~  
18 ~~enterprises; and~~

19 ~~(11) to do all things necessary or convenient to carry out its powers.~~

20 ~~(D-1) (D) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE~~  
21 ~~THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY~~  
22 ~~BENEFITS IMPACT DISTRICT MANAGEMENT AUTHORITY MAY AUTHORIZE THE~~  
23 ~~AUTHORITY TO:~~

24 (I) BE A SPECIAL ~~BENEFITS IMPACT~~ DISTRICT AND TO  
25 CONDUCT THE FUNCTIONS WHICH ARE ASSIGNED TO IT BY THE CITY;

26 (II) ACQUIRE, HOLD, AND USE PROPERTY NECESSARY TO  
27 ACHIEVE ITS PURPOSES;

28 (III) MAKE CONTRACTS;

29 (IV) SUE AND BE SUED;

30 (V) BORROW AND ACCEPT GRANTS FOR PURPOSES CONSISTENT  
31 WITH THE PURPOSES OF THE AUTHORITY;

32 (VI) EMPLOY AND DISCHARGE PERSONNEL TO CARRY OUT ITS  
33 PUBLIC PURPOSES;

1 (VII) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
2 PROPOSE IN ITS ANNUAL BUDGET THE ALLOCATION OF LOCAL IMPACT GRANTS  
3 DISTRIBUTED TO THE AUTHORITY;

4 (VIII) ADOPT, AMEND, AND MODIFY BYLAWS, ALL OF WHICH SHALL  
5 BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES;

6 (IX) ESTABLISH AND ELECT OFFICERS AND PROVIDE FOR THEIR  
7 TERMS AND DUTIES;

8 (X) SUBJECT TO CITY ORDINANCES AND CITY POLICY  
9 REQUIRING ACHIEVEMENT OF GOALS REGARDING MINORITY AND WOMEN'S  
10 BUSINESS ENTERPRISES BUT NOT TO THE CITY REQUIREMENTS REGARDING WAGE  
11 SCALES, COMPETITIVE BIDDING, OR OTHER LOCAL PROCUREMENT LAWS,  
12 CONTRACT FOR AND PURCHASE GOODS AND SERVICES; AND

13 (XI) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT  
14 ITS POWERS.

15 (2) (I) BEFORE ADOPTING ITS PROPOSED BUDGET AND MAKING  
16 ITS RECOMMENDATIONS TO THE CITY, THE AUTHORITY SHALL HOLD A PUBLIC  
17 HEARING ON THE ALLOCATIONS PROPOSED FOR THE DISTRICT.

18 (II) THE AUTHORITY SHALL PUBLISH NOTICE OF THE HEARING  
19 ~~IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A~~  
20 ~~WEEK ON THE WEB SITE OF THE AUTHORITY FOR 3 CONSECUTIVE WEEKS BEFORE~~  
21 THE HEARING.

22 ~~(e) An Authority created under this section may not:~~

23 ~~(1) exercise any police or general powers other than those authorized by~~  
24 ~~State law and City ordinance;~~

25 ~~(2) pledge the full faith or credit of the City;~~

26 ~~(3) impose taxes or charges in excess of those approved by the Board of~~  
27 ~~Estimates;~~

28 ~~(4) exercise the power of eminent domain;~~

29 ~~(5) extend its life without the approval of the City Council;~~

30 ~~(6) except as otherwise provided by law, engage in competition with the~~  
31 ~~private sector;~~

1 ~~(7) except as otherwise provided in subsection [(i)] (J) of this section, revert~~  
 2 ~~charges or taxes collected pursuant to this section to the General Fund of the City;~~

3 ~~(8) be an agency of the Mayor and City Council of Baltimore or the State of~~  
 4 ~~Maryland, and its officers and employees may not act as agents or employees of the Mayor~~  
 5 ~~and City Council of Baltimore or the State of Maryland;~~

6 ~~(9) employ individuals who reside outside the City of Baltimore; and~~

7 ~~(10) except as required or appropriate to facilitate its normal operations,~~  
 8 ~~incur debt.~~

9 ~~(E-1) (E)~~ **(1) THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~**  
 10 **IMPACT DISTRICT MANAGEMENT AUTHORITY CREATED UNDER THIS SECTION MAY**  
 11 **NOT:**

12 **(I) EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN**  
 13 **THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE;**

14 **(II) PLEDGE THE FULL FAITH OR CREDIT OF THE CITY;**

15 **(III) IMPOSE ANY TAXES OR CHARGES;**

16 **(IV) EXERCISE THE POWER OF EMINENT DOMAIN;**

17 **(V) EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY**  
 18 **COUNCIL;**

19 **(VI) EXCEPT AS OTHERWISE PROVIDED BY LAW, ENGAGE IN**  
 20 **COMPETITION WITH THE PRIVATE SECTOR;**

21 **(VII) EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS SECTION,**  
 22 **REVERT LOCAL IMPACT GRANTS TO THE GENERAL FUND OF THE CITY;**

23 **(VIII) BE AN AGENCY OF THE MAYOR AND CITY COUNCIL OF**  
 24 **BALTIMORE OR THE STATE OF MARYLAND;**

25 **(IX) EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE THE CITY OF**  
 26 **BALTIMORE; AND**

27 **(X) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS**  
 28 **NORMAL OPERATIONS, INCUR DEBT.**

1           (2) AN OFFICER OR EMPLOYEE OF THE SOUTH BALTIMORE GATEWAY  
2 COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY CREATED  
3 UNDER THIS SECTION MAY NOT ACT, IN THE OFFICER'S OR EMPLOYEE'S CAPACITY  
4 FOR THE AUTHORITY, AS AN AGENT OR EMPLOYEE OF THE MAYOR AND CITY  
5 COUNCIL OF BALTIMORE OR THE STATE OF MARYLAND.

6           ~~(f) In adopting an ordinance, the City Council shall:~~

7           ~~(1) give consideration to the views of the property owners, the retail~~  
8 ~~merchants, the property tenants, and the other members of the business and residential~~  
9 ~~communities within the district;~~

10           ~~(2) make a determination that a district created under this section will~~  
11 ~~reflect a diverse mix of business and residential properties; and~~

12           ~~(3) make a determination that a district created under this section will~~  
13 ~~reflect a diverse economic, social, and racial mix.~~

14           ~~(g) The Mayor and City Council shall review the effectiveness and desirability of~~  
15 ~~continuing the existence of any district established under this section every 4 years from~~  
16 ~~the enactment of the ordinance.~~

17           ~~(h) (1) The Mayor and City Council shall review and determine the desirability~~  
18 ~~of continuing the existence of each community benefits district established under this~~  
19 ~~section every 4 years:~~

20           ~~(i) beginning with the first meeting of the Mayor and City Council~~  
21 ~~in December 2001 for the Charles Village Community Benefits District, Management~~  
22 ~~Authority;~~

23           ~~(ii) beginning with the first meeting of the Mayor and City Council~~  
24 ~~in December, 2003 for the Midtown Community Benefits District; and~~

25           ~~(iii) beginning 4 years after the date of the establishment of any other~~  
26 ~~community benefits district created under this section.~~

27           ~~(2) If the continuing existence of a community benefits district is not~~  
28 ~~approved:~~

29           ~~(i) the district shall cease to exist at the end of the City's fiscal year~~  
30 ~~in which approval was not granted; and~~

31           ~~(ii) the District Management Authority shall continue its existence~~  
32 ~~only as long as necessary to terminate operations in a reasonable manner and to arrange~~  
33 ~~for the disposition of all funds not needed to satisfy outstanding obligations and reserves~~  
34 ~~for uncertain obligations and liabilities.~~

~~(i) The Mayor and City Council of Baltimore may not permit a reduction in the services provided by the City in a district due to the establishment of a community benefits district management authority.~~

~~(j) In the event of a dissolution of a community benefits district, any unspent funds shall revert back to the City's General Fund.~~

~~(k) (1) THIS SUBSECTION DOES NOT APPLY TO AN ORDINANCE ADOPTED CONCERNING THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT.~~

~~(2) An ordinance adopted pursuant to this section shall take effect only if approved by 58% of the aggregate votes cast in a special election by the affected voters.~~

~~[(2)] (3) The ordinance shall provide criteria for the eligibility of voters for purposes of the election required by this subsection.~~

~~[(3)] (4) The ordinance shall provide procedures for a special election as required in this subsection, which may be administered by write-in ballots.~~

**(F) IN ADOPTING AN ORDINANCE, THE CITY COUNCIL SHALL:**

**(1) GIVE CONSIDERATION TO THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND RESIDENTIAL COMMUNITIES WITHIN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT; AND**

**(2) MAKE A DETERMINATION THAT THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WILL REFLECT:**

**(i) A DIVERSE MIX OF BUSINESS AND RESIDENTIAL PROPERTIES; AND**

**(ii) A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.**

**(G) THE MAYOR AND CITY COUNCIL SHALL REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS FROM THE ENACTMENT OF THE ORDINANCE.**

**(H) (1) THE MAYOR AND CITY COUNCIL SHALL REVIEW AND DETERMINE THE DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS BEGINNING 4 YEARS AFTER THE DATE OF THE ESTABLISHMENT OF THE DISTRICT.**



1                                    [(v)] 5.        economic and community development, including housing;  
2 and

3                                    [(vi)] 6.        other public services and improvements.

4            SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
5 as follows:

## 6                                    **The Charter of Baltimore City**

### 7                                    Article II – General Powers

8            The Mayor and City Council of Baltimore shall have full power and authority to  
9 exercise all of the powers heretofore or hereafter granted to it by the Constitution of  
10 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in  
11 particular, without limitation upon the foregoing, shall have power by ordinance, or such  
12 other method as may be provided for in its Charter, subject to the provisions of said  
13 Constitution and Public General Laws:

14 ~~(63)~~ (69)

15            ~~(e-1)~~ (c)        (1)        ~~Notwithstanding subsection (e) of this section, the~~ The ordinance  
16 establishing the South Baltimore Gateway Community ~~Benefits~~ Impact District  
17 Management Authority shall address the following:

18                                    (i)        specify the powers and functions within the limits of this section,  
19 which may be exercised and conducted by the Authority and fund the Authority with not  
20 less than 50% of the local impact grants from video lottery proceeds distributed to  
21 Baltimore City under [§ 9-1A-31(a)(1)(i)] **§ 9-1A-31(A)(3)(I)** of the State Government  
22 Article of the Annotated ~~code~~ Code of Maryland;

### 23                                    Article – State Government

24 9-1A-31.

25            (b)        (3)        In Baltimore City[,]:

26                                    (I)        BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE  
27 LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(3)(I) OF THIS SECTION  
28 SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY  
29 ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY; AND

30                                    (II)        local impact grants provided under subsection (a)(3)(i) of this  
31 section shall be used for improvements in the communities in immediate proximity to the  
32 video lottery facility and may be used for the following purposes:

- 1                    [(i)] 1.    infrastructure improvements;
- 2                    [(ii)] 2.    facilities;
- 3                    [(iii)] 3.    public safety;
- 4                    [(iv)] 4.    sanitation;
- 5                    [(v)] 5.    economic and community development, including housing;
- 6 and
- 7                    [(vi)] 6.    other public services and improvements.

8                    SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
 9 effect on the taking effect of Section 3 of Chapter 1 of the Acts of the General Assembly of  
 10 the Second Special Session of 2012. If Section 3 of Chapter 1 of the Acts of the General  
 11 Assembly of the Second Special Session of 2012 does not take effect, Section 2 of this Act  
 12 shall be abrogated and of no further force and effect.

13                    SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this  
 14 Act, this Act shall take effect June 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.