

HOUSE BILL 235

L2

8lr0790

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2018

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – School Facilities Surcharge – Affordable Housing**
3 **Requirement**
4 **(The Affordable Housing Act of 2018)**

5 **PG 414–18**

6 FOR the purpose of establishing that certain exemptions from and reductions of the school
7 facilities surcharge on certain residential construction in Prince George's County do
8 not apply unless at least a certain percentage of the construction is designated as
9 affordable housing for residents whose income does not exceed a certain percentage
10 of a certain area median income; extending the termination date of certain provisions
11 of law that reduce the school facilities surcharge for certain multifamily housing and
12 exempt certain dwelling units from the school facilities surcharge; and generally
13 relating to the school facilities surcharge in Prince George's County.

14 BY repealing and reenacting, without amendments,
15 The Public Local Laws of Prince George's County
16 Section 10–192.01(a)(1)
17 Article 17 – Public Local Laws of Maryland
18 (2011 Edition, as amended)

19 BY repealing and reenacting, with amendments,
20 The Public Local Laws of Prince George's County
21 Section 10–192.01(b)(2)
22 Article 17 – Public Local Laws of Maryland

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 (2011 Edition, as amended)

2 BY repealing and reenacting, with amendments,
3 The Public Local Laws of Prince George's County
4 Section 10–192.01(b)(6)
5 Article 17 – Public Local Laws of Maryland
6 (2011 Edition, as amended)
7 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014)

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of Prince George's County
10 Section 10–192.01(b–1)
11 Article 17 – Public Local Laws of Maryland
12 (2011 Edition, as amended)
13 (As enacted by Chapter 685 of the Acts of the General Assembly of 2013, as amended
14 by Chapter 455 of the Acts of the General Assembly of 2017)

15 BY adding to
16 The Public Local Laws of Prince George's County
17 Section 10–192.01(b–2)
18 Article 17 – Public Local Laws of Maryland
19 (2011 Edition, as amended)

20 BY repealing and reenacting, with amendments,
21 Chapter 685 of the Acts of the General Assembly of 2013
22 Section 2

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

25 **Article 17 – Prince George's County**

26 10–192.01.

27 (a) (1) The County Council, by ordinance, shall impose a school facilities
28 surcharge on new residential construction for which a building permit is issued on or after
29 July 1, 2003.

30 (b) (2) **[The] SUBJECT TO SUBSECTION (B–2) OF THIS SECTION, THE**
31 school facilities surcharge does not apply to a mixed retirement development or elderly
32 housing.

33 (6) **[The] SUBJECT TO SUBSECTION (B–2) OF THIS SECTION, THE**
34 school facilities surcharge does not apply to a single–family attached dwelling unit if the
35 single–family dwelling unit is:

36 (A) Located in a residential revitalization project;

1 (B) Located in the Developed Tier as defined in the Prince George's
2 County General Plan;

3 (C) Located in a Transforming Neighborhoods Initiative (TNI) Area;

4 (D) Located on the same property as previously existing
5 multi-family dwelling units;

6 (E) Developed at a lower density than the previously existing
7 multi-family dwelling units;

8 (F) Offered for sale only on a fee simple basis; and

9 (G) Located on a property that is less than 6 acres in size.

10 (b-1) **SUBJECT TO SUBSECTION (B-2) OF THIS SECTION:**

11 (1) The school facilities surcharge under this section shall be reduced by
12 50% for multifamily housing constructed:

13 (A) Within an approved transit district overlay zone;

14 (B) Where there is no approved transit district overlay zone, within
15 one-quarter mile of a Metro station; or

16 (C) Within the Bowie State MARC Station Community Center
17 Designation Area, as defined in the Approved Bowie State MARC Station Sector Plan and
18 Sectional Map Amendment[.];

19 (2) The school facilities surcharge under this section does not apply to a
20 dwelling unit that is a studio apartment or efficiency apartment if the dwelling unit is
21 located:

22 (A) Within the county urban centers and corridors, as defined in §
23 27A-106 of the County Code;

24 (B) Within an approved transit district overlay zone; or

25 (C) Where there is no approved transit district overlay zone, within
26 one-quarter mile of a Metro station[.]; **AND**

27 (3) The County Council may reduce the school facilities surcharge by a
28 percentage not exceeding 50% for dwelling units in multifamily housing constructed where
29 there is no approved transit district overlay zone, within one-quarter mile of a Purple Line
30 station.

