

SENATE BILL 358

M3

8lr0969

By: **Senators Ready, Bates, Cassilly, Eckardt, Edwards, Hershey, Hough,
Jennings, Norman, Robinson, Salling, Serafini, Simonaire, and Waugh**

Introduced and read first time: January 24, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Bay Restoration Fee – Unimproved Property**

3 FOR the purpose of prohibiting a local government, billing authority for a water or
4 wastewater facility, or certain authorized collection agency from imposing the Bay
5 Restoration Fee on unimproved property; and generally relating to the Bay
6 Restoration Fee.

7 BY repealing and reenacting, without amendments,

8 Article – Environment

9 Section 9–1605.2(a)(4) and (d)(2)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2017 Supplement)

12 BY adding to

13 Article – Environment

14 Section 9–1605.2(d)(6)

15 Annotated Code of Maryland

16 (2014 Replacement Volume and 2017 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Environment**

20 9–1605.2.

21 (a) (4) There is established a Bay Restoration Fee to be paid by any user of a
22 wastewater facility, an on–site sewage disposal system, or a holding tank that:

23 (i) Is located in the State; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Serves a Maryland user and is eligible for funding under this
2 subtitle.

3 (d) (2) (i) Except as provided in subparagraph (ii) of this paragraph, the
4 Bay Restoration Fee shall be collected by the local government or the billing authority for
5 the water or wastewater facility, as appropriate, on behalf of the State.

6 (ii) For a wastewater facility without a billing authority, the
7 Comptroller may collect the restoration fee from the facility owner.

8 **(6) A LOCAL GOVERNMENT, A BILLING AUTHORITY FOR A WATER OR**
9 **WASTEWATER FACILITY, OR ANY OTHER AUTHORIZED COLLECTION AGENCY MAY**
10 **NOT IMPOSE THE BAY RESTORATION FEE ON UNIMPROVED PROPERTY.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2018.