

SENATE BILL 259

L4

9lr1659
CF 9lr1442

By: **Cecil County Senators**

Introduced and read first time: January 25, 2019

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Cecil County – Special Taxing Districts – Broadband Internet Service**

3 FOR the purpose of authorizing Cecil County, for the purpose of providing broadband
4 Internet service, to exercise certain authority in the entirety of the unincorporated
5 area of the county, establish a special taxing district if property owners in the
6 proposed district petition the county in a certain manner, impose ad valorem or
7 special taxes, and issue bonds in accordance with certain provisions of law; and
8 generally relating to authorizing special taxing districts in Cecil County for the
9 purpose of providing broadband Internet service.

10 BY repealing and reenacting, without amendments,

11 Article – Local Government
12 Section 21–503(c)
13 Annotated Code of Maryland
14 (2013 Volume and 2018 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Local Government
17 Section 21–520
18 Annotated Code of Maryland
19 (2013 Volume and 2018 Supplement)

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

22 **Article – Local Government**

23 21–503.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) Notwithstanding any other provision of law, a county may establish a
2 special taxing district, issue bonds, or impose an ad valorem or special tax under this
3 subtitle only if a request to the county is made by both:

4 (i) the owners of at least two-thirds of the assessed valuation of the
5 real property located in the special taxing district; and

6 (ii) at least two-thirds of the owners of the real property located in
7 the special taxing district.

8 (2) For purposes of paragraph (1)(ii) of this subsection:

9 (i) multiple owners of a single parcel are treated as a single owner;
10 and

11 (ii) a single owner of multiple parcels is treated as one owner.

12 21-520.

13 (a) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION**, Cecil County
14 may exercise the authority granted under this subtitle only in a designated growth area as
15 defined in the county comprehensive plan.

16 (b) (1) The governing body of Cecil County shall hold at least one public
17 hearing on a bill establishing a special taxing district.

18 (2) At the public hearing, the governing body may consider the following
19 elements of a proposed development that would receive the proceeds of a bond:

20 (i) development design standards;

21 (ii) the use of transfer of development rights or other methods of
22 increasing the density of development;

23 (iii) design and use of open space; and

24 (iv) availability and design of recreational and educational facilities.

25 (c) A law enacted by Cecil County under this subtitle shall require that adequate
26 debt service reserve funds be maintained.

27 (d) **[Notwithstanding] EXCEPT AS PROVIDED IN SUBSECTION (E)(2) OF THIS**
28 **SECTION AND NOTWITHSTANDING § 21-503(c)** of this subtitle, before Cecil County may
29 establish a special taxing district, all of the owners of real property in the proposed special
30 taxing district shall petition the county to establish the special taxing district.

1 **(E) FOR THE PURPOSE OF PROVIDING BROADBAND INTERNET SERVICE,**
2 **CECIL COUNTY MAY:**

3 **(1) EXERCISE THE AUTHORITY GRANTED UNDER THIS SUBTITLE IN**
4 **THE ENTIRETY OF THE UNINCORPORATED AREA OF THE COUNTY;**

5 **(2) ESTABLISH A SPECIAL TAXING DISTRICT IF PROPERTY OWNERS IN**
6 **THE PROPOSED SPECIAL TAXING DISTRICT PETITION THE COUNTY IN ACCORDANCE**
7 **WITH § 21-503(C) OF THIS SUBTITLE; AND**

8 **(3) IMPOSE AD VALOREM OR SPECIAL TAXES AND ISSUE BONDS**
9 **UNDER THIS SUBTITLE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2019.