

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 832

(Charles County Senators)

Judicial Proceedings

Environment and Transportation

Southern Maryland - Dwelling Registration and Inspection - Fees and Fines

This bill authorizes the county commissioners of a code home rule county of the Southern Maryland class (*i.e.*, Charles County) to (1) require a property owner of a dwelling unit or a multifamily dwelling to register the dwelling with the county in order to offer units for lease; (2) charge a fee on a property owner for registering a dwelling unit or a multifamily dwelling with the county; (3) conduct inspections of a dwelling unit or a multifamily dwelling that is registered with the county to enforce minimum property maintenance standards; and (4) impose a fine on a property owner, as specified. The bill also authorizes the county to adopt regulations relating to the registration of dwelling units or multifamily dwellings.

Fiscal Summary

State Effect: None.

Local Effect: The bill is authorizing in nature and does not directly affect Charles County government finances. If Charles County decides to enact a dwelling registration requirement, county expenditures and revenues could increase by a significant amount.

Small Business Effect: None.

Analysis

Bill Summary: A “dwelling unit” means a building or part of a building that provides living or sleeping facilities for one or more individuals. A “dwelling unit” includes a one or two family dwelling.

The county commissioners may impose a fine on a property owner that (1) leases a unit in a multifamily dwelling or a dwelling unit that is not registered with the county or (2) is in violation of the inspection criteria established by the county.

Current Law: Per Section 9 of Article XI-F of the Maryland Constitution, a code home rule county cannot levy any type of tax, license fee, franchise tax, or fee, which was not in effect or authorized in the code county at the time it came under the provisions of the Article, until an express authorization of the General Assembly has been enacted for this purpose.

Forms of County Governments in Maryland

Maryland counties operate under three forms of government: commission; charter home rule; and code home rule. Charles County is currently the only Southern Maryland county with a code home rule form of government. **Exhibit 1** shows the form of government for each Maryland county.

Exhibit 1
Forms of County Governments in Maryland

<u>Charter</u>	<u>Commission</u>	<u>Code</u>
Anne Arundel	Calvert	Allegany
Baltimore	Carroll	Caroline
Cecil	Garrett	Charles
Dorchester	St. Mary's	Kent
Frederick	Somerset	Queen Anne's
Harford	Washington	Worcester
Howard		
Montgomery		
Prince George's		
Talbot		
Wicomico		

Source: Department of Legislative Services

Local Fiscal Effect: Charles County estimates that it may incur expenditures up to \$600,000 annually to process and inspect the registration of specified dwelling units and multifamily dwellings in the county under the authorization provided by the bill. This estimate includes the cost to hire two additional personnel (one inspector and one support specialist), as well as additional contractual employees. The county intends to increase

revenues by a corresponding amount through the implementation of fees and fines authorized under the bill to make the program self-supporting.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1061 (Charles County Delegation) - Environment and Transportation.

Information Source(s): Charles County; Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2021
rh/tso Third Reader - March 22, 2021
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