

SENATE BILL 130

C8
SB 685/22 – B&T

(PRE-FILED)

3lr0944

By: **Senator Ellis**

Requested: November 18, 2022

Introduced and read first time: January 11, 2023

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Maryland Stadium Authority – Charles County Sports**
3 **and Wellness Center**

4 FOR the purpose of authorizing the Maryland Stadium Authority to review certain matters
5 and make certain recommendations relating to the Charles County Sports and
6 Wellness Center; authorizing the Authority to acquire and finance by certain means
7 a Charles County Sports and Wellness Center site or an interest in the site; requiring
8 the Authority to secure a written agreement to transfer ownership of the Charles
9 County Sports and Wellness Center to Charles County as approved by the Board of
10 Public Works; establishing the Charles County Sports and Wellness Center Fund as
11 a continuing, nonlapsing fund; and generally relating to financing and construction
12 of the Charles County Sports and Wellness Center.

13 BY renumbering

14 Article – Economic Development
15 Section 10–601(p) through (iii)
16 to be Section 10–601(s) through (lll), respectively
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Economic Development
21 Section 10–601(a) and (b), 10–620(a)(1), and 10–628(a)
22 Annotated Code of Maryland
23 (2018 Replacement Volume and 2022 Supplement)

24 BY adding to

25 Article – Economic Development
26 Section 10–601(p) through (r), 10–646.5, and 10–657.7
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2018 Replacement Volume and 2022 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Economic Development
4 Section 10–601(v)
5 Annotated Code of Maryland
6 (2018 Replacement Volume and 2022 Supplement)
7 (As enacted by Section 1 of this Act)

8 BY repealing and reenacting, with amendments,
9 Article – Economic Development
10 Section 10–613(a)(14) and (b), 10–618, 10–620(d) and (e), 10–625(a), and 10–628(c)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(i)
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2022 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – State Finance and Procurement
20 Section 6–226(a)(2)(ii)170. and 171.
21 Annotated Code of Maryland
22 (2021 Replacement Volume and 2022 Supplement)

23 BY adding to
24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(ii)172.
26 Annotated Code of Maryland
27 (2021 Replacement Volume and 2022 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
29 That Section(s) 10–601(p) through (iii) of Article – Economic Development of the Annotated
30 Code of Maryland be renumbered to be Section(s) 10–601(s) through (lll), respectively.

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

33 **Article – Economic Development**

34 10–601.

35 (a) In this subtitle the following words have the meanings indicated.

36 (b) “Authority” means the Maryland Stadium Authority.

1 **(P) (1) “CHARLES COUNTY SPORTS AND WELLNESS CENTER” MEANS**
2 **THE EVENTS FACILITY LOCATED IN CHARLES COUNTY, MARYLAND, USED FOR**
3 **COMMUNITY EVENTS, RECREATIONAL EVENTS, AND OTHER RELATED ACTIVITIES.**

4 **(2) “CHARLES COUNTY SPORTS AND WELLNESS CENTER”**
5 **INCLUDES:**

6 **(I) FIELDS AND AMPHITHEATERS;**

7 **(II) OFFICES;**

8 **(III) PARKING LOTS AND GARAGES;**

9 **(IV) ACCESS ROADS;**

10 **(V) FOOD SERVICE FACILITIES; AND**

11 **(VI) OTHER FUNCTIONALLY RELATED STRUCTURES AND**
12 **IMPROVEMENTS.**

13 **(Q) “CHARLES COUNTY SPORTS AND WELLNESS CENTER FUND” MEANS**
14 **THE CHARLES COUNTY SPORTS AND WELLNESS CENTER FUND ESTABLISHED**
15 **UNDER § 10-657.7 OF THIS SUBTITLE.**

16 **(R) “CHARLES COUNTY SPORTS AND WELLNESS CENTER SITE” MEANS THE**
17 **SITE OF THE CHARLES COUNTY SPORTS AND WELLNESS CENTER IN CHARLES**
18 **COUNTY, MARYLAND.**

19 (v) “Facility” means:

20 (1) a structure or other improvement developed at Camden Yards;

21 (2) a convention facility;

22 (3) the Hippodrome Performing Arts facility;

23 (4) a sports facility;

24 (5) a Baltimore City public school facility;

25 (6) a racing facility;

26 (7) a public school facility;

- 1 (8) the Hagerstown Multi-Use Sports and Events Facility;
- 2 (9) a sports entertainment facility; [or]
- 3 (10) a Prince George's County Blue Line Corridor facility; **OR**
- 4 **(11) THE CHARLES COUNTY SPORTS AND WELLNESS CENTER.**

5 10-613.

6 (a) The Authority may:

7 (14) with respect to site acquisition, construction, and development of the
 8 Hippodrome Performing Arts facility [and], the Hagerstown Multi-Use Sports and Events
 9 Facility, **AND THE CHARLES COUNTY SPORTS AND WELLNESS CENTER**, establish and
 10 participate in Authority affiliates;

11 (b) The Authority may review and make recommendations on proposed
 12 convention center facilities, the Hippodrome Performing Arts facility, the Hagerstown
 13 Multi-Use Sports and Events Facility, [and] a Prince George's County Blue Line Corridor
 14 facility, **AND THE CHARLES COUNTY SPORTS AND WELLNESS CENTER**, including the
 15 expansion and enhancement of the Baltimore City Convention Center and the Ocean City
 16 Convention Center and the development and construction of the Montgomery County
 17 Conference Center, the Hippodrome Performing Arts Center, the Hagerstown
 18 Multi-Use Sports and Events Facility, [and] a Prince George's County Blue Line Corridor
 19 facility, **AND THE CHARLES COUNTY SPORTS AND WELLNESS CENTER**, with respect
 20 to location, purpose, design, function, capacity, parking, costs, funding mechanisms, and
 21 revenue alternatives, with specific recommendations on:

- 22 (1) the level of support from the private sector;
- 23 (2) the type of support from the private sector;
- 24 (3) special taxing sources;
- 25 (4) projected revenues;
- 26 (5) bonding authority and the source of debt service; and
- 27 (6) the fiscal impact on the State of any revenue alternatives.

28 10-618.

29 (a) (1) Except as provided in paragraph (2) of this subsection, contracts to
 30 acquire any facility site, to construct the facility, or for construction on the facility site
 31 require the prior approval of the Board of Public Works.

1 (2) Contracts to construct a public school facility or for construction on a
2 public school site do not require the prior approval of the Board of Public Works.

3 (b) The Authority may:

4 (1) acquire by any of the means specified in § 10–620(a) of this subtitle:

5 (i) a site at Camden Yards for a facility;

6 (ii) a Baltimore Convention site or an interest in the site;

7 (iii) an Ocean City Convention site or an interest in the site;

8 (iv) a Montgomery County Conference site or an interest in the site;

9 (v) a Hippodrome Performing Arts site or an interest in the site;

10 (vi) a Hagerstown Multi–Use Sports and Events Facility site or an
11 interest in the site;

12 (vii) a sports entertainment facility site or an interest in the site;

13 [and]

14 (viii) a Prince George’s County Blue Line Corridor facility site or an
15 interest in the site; and

16 **(IX) A CHARLES COUNTY SPORTS AND WELLNESS CENTER SITE**
17 **OR AN INTEREST IN THE SITE; AND**

18 (2) construct or enter into a contract to construct a facility on a site it
19 acquires under this subsection.

20 10–620.

21 (a) (1) Subject to annual appropriations and this subtitle, the Authority may
22 acquire in its own name, by gift, purchase, or condemnation, any property or interest in
23 property necessary or convenient to construct, improve, or operate a facility.

24 (d) (1) The exercise of authority under this subsection is subject to the prior
25 approval of the Board of Public Works.

26 (2) On request of the Authority, the State, a unit of the State, or a political
27 subdivision may lease, lend, grant, or otherwise convey to the Authority, property,
28 including property devoted to public use, as necessary or convenient for the purposes of this
29 subtitle.

1 (3) The State may lease or sublease a facility, or an interest in a facility,
2 from or to the Authority, whether or not constructed or usable.

3 (4) Lease payments to the Authority appropriated by the State shall be
4 transferred to:

5 (i) the Baltimore Convention Fund if appropriated for a Baltimore
6 Convention facility;

7 (ii) the Camden Yards Fund if appropriated for a sports facility or
8 other facility at Camden Yards;

9 (iii) the Hippodrome Performing Arts Fund if appropriated for a
10 Hippodrome Performing Arts facility;

11 (iv) the Montgomery County Conference Fund if appropriated for a
12 Montgomery County Conference facility;

13 (v) the Ocean City Convention Fund if appropriated for an Ocean
14 City Convention facility;

15 (vi) the Hagerstown Multi-Use Sports and Events Facility Fund if
16 appropriated for a Hagerstown Multi-Use Sports and Events Facility;

17 (vii) the Sports Entertainment Facilities Financing Fund if
18 appropriated for a sports entertainment facility; [or]

19 (viii) the Prince George's County Blue Line Corridor Facility Fund if
20 appropriated for a Prince George's County Blue Line Corridor facility; **OR**

21 **(IX) THE CHARLES COUNTY SPORTS AND WELLNESS CENTER**
22 **FUND IF APPROPRIATED FOR THE CHARLES COUNTY SPORTS AND WELLNESS**
23 **CENTER.**

24 (e) (1) This subsection does not apply to the Camden Yards site, Baltimore
25 Convention site, Ocean City Convention site, Hippodrome Performing Arts site, any
26 Baltimore City public school site, any racing facility, the Hagerstown Multi-Use Sports and
27 Events Facility site, any supplemental facility site, any public school site, a sports
28 entertainment facility, [or] a Prince George's County Blue Line Corridor facility site, **OR**
29 **THE CHARLES COUNTY SPORTS AND WELLNESS CENTER.**

30 (2) The Authority and any Authority affiliate are subject to applicable
31 planning, zoning, and development regulations to the same extent as a private commercial
32 or industrial enterprise.

1 (a) Except as provided in subsection (b) of this section, the Authority shall submit:

2 (1) an annual detailed report of the activities and financial status of the
3 Authority to the Governor, and, in accordance with § 2–1257 of the State Government
4 Article, the General Assembly; and

5 (2) annual reports on the additional tax revenues generated by each of the
6 following facilities:

7 (i) the Baltimore Convention facility;

8 (ii) the Hippodrome Performing Arts facility;

9 (iii) the Montgomery County Conference facility;

10 (iv) the Ocean City Convention facility;

11 (v) the Hagerstown Multi–Use Sports and Events Facility;

12 (vi) a sports entertainment facility; [and]

13 (vii) a Prince George’s County Blue Line Corridor facility site; AND

14 **(VIII) THE CHARLES COUNTY SPORTS AND WELLNESS CENTER.**

15 10–628.

16 (a) Except as provided in subsections (b) and (c) of this section and subject to the
17 prior approval of the Board of Public Works, the Authority may issue bonds at any time for
18 any corporate purpose of the Authority, including the establishment of reserves and the
19 payment of interest.

20 (c) (1) Unless authorized by the General Assembly, the Board of Public Works
21 may not approve an issuance by the Authority of bonds, whether taxable or tax exempt,
22 that constitute tax supported debt or nontax supported debt if, after issuance, there would
23 be outstanding and unpaid more than the following face amounts of the bonds for the
24 purpose of financing acquisition, construction, renovation, and related expenses for
25 construction management, professional fees, and contingencies in connection with:

26 (i) the Baltimore Convention facility – \$55,000,000;

27 (ii) the Hippodrome Performing Arts facility – \$20,250,000;

28 (iii) the Montgomery County Conference facility – \$23,185,000;

29 (iv) the Ocean City Convention facility – \$24,500,000;

- 1 (v) Baltimore City public school facilities – \$1,100,000,000;
 2 (vi) supplemental facilities – \$25,000,000;
 3 (vii) racing facilities – \$375,000,000;
 4 (viii) public school facilities in the State – \$2,200,000,000;
 5 (ix) the Hagerstown Multi-Use Sports and Events
 6 Facility – \$59,500,000;
 7 (x) sports entertainment facilities – \$200,000,000; [and]
 8 (xi) Prince George’s County Blue Line Corridor
 9 facilities – \$400,000,000; AND

10 (XII) CHARLES COUNTY SPORTS AND WELLNESS CENTER
 11 FACILITIES – \$45,000,000.

- 12 (2) (i) The limitation under paragraph (1)(i) of this subsection applies
 13 to the aggregate principal amount of bonds outstanding as of June 30 of any year.
 14 (ii) Refunded bonds may not be included in the determination of an
 15 outstanding aggregate amount under this paragraph.

16 **10-646.5.**

17 (A) EXCEPT AS AUTHORIZED BY § 10-639 OF THIS SUBTITLE, TO FINANCE
 18 SITE ACQUISITION, DESIGN, AND CONSTRUCTION OF ANY SEGMENT OF THE
 19 CHARLES COUNTY SPORTS AND WELLNESS CENTER, THE AUTHORITY SHALL
 20 COMPLY WITH THIS SECTION.

21 (B) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF
 22 PUBLIC WORKS FOR EACH BOND ISSUE OR OTHER BORROWING, THE AUTHORITY
 23 SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY, IN
 24 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A
 25 COMPREHENSIVE FINANCING PLAN FOR THE RELEVANT SEGMENT OF THE FACILITY.

26 (C) THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF
 27 PUBLIC WORKS OF THE PROPOSED BOND ISSUE AND THE FINANCING PLAN.

28 (D) THE AUTHORITY MAY NOT ISSUE BONDS TO FINANCE THE CHARLES
 29 COUNTY SPORTS AND WELLNESS CENTER UNTIL THE AUTHORITY AND CHARLES
 30 COUNTY SECURE A WRITTEN OPERATING AGREEMENT.

1 **(E) THE AUTHORITY SHALL SECURE A WRITTEN AGREEMENT TO TRANSFER**
2 **OWNERSHIP OF THE CHARLES COUNTY SPORTS AND WELLNESS CENTER FROM THE**
3 **AUTHORITY TO CHARLES COUNTY, AS APPROVED BY THE BOARD OF PUBLIC**
4 **WORKS:**

5 **(1) IN WHICH CHARLES COUNTY AGREES TO:**

6 **(I) OWN, MARKET, PROMOTE, AND OPERATE OR CONTRACT FOR**
7 **THE MARKETING, PROMOTION, AND OPERATION OF THE CHARLES COUNTY SPORTS**
8 **AND WELLNESS CENTER IN A MANNER THAT MAXIMIZES THE CHARLES COUNTY**
9 **SPORTS AND WELLNESS CENTER’S ECONOMIC RETURN;**

10 **(II) MAINTAIN AND REPAIR OR CONTRACT FOR THE**
11 **MAINTENANCE AND REPAIR OF THE CHARLES COUNTY SPORTS AND WELLNESS**
12 **CENTER SO AS TO KEEP THE CHARLES COUNTY SPORTS AND WELLNESS CENTER IN**
13 **FIRST-CLASS OPERATING CONDITION; AND**

14 **(III) BE SOLELY RESPONSIBLE FOR ALL EXPENDITURES**
15 **RELATING TO THE OPERATION, MAINTENANCE, AND REPAIR OF THE CHARLES**
16 **COUNTY SPORTS AND WELLNESS CENTER THAT MAY BE INCURRED, INCLUDING**
17 **THE AMOUNT BY WHICH EXPENDITURES EXCEED REVENUES; AND**

18 **(2) THAT:**

19 **(I) PROTECTS THE INVESTMENTS OF THE AUTHORITY AND**
20 **CHARLES COUNTY IN THE CHARLES COUNTY SPORTS AND WELLNESS CENTER;**

21 **(II) REQUIRES CHARLES COUNTY TO CONTRIBUTE TO A**
22 **CAPITAL IMPROVEMENT RESERVE FUND AN AMOUNT SUFFICIENT TO KEEP THE**
23 **CHARLES COUNTY SPORTS AND WELLNESS CENTER IN FIRST-CLASS OPERATING**
24 **CONDITION;**

25 **(III) REQUIRES CHARLES COUNTY TO BE SOLELY RESPONSIBLE**
26 **FOR ALL EXPENDITURES RELATING TO THE OPERATION OF THE CHARLES COUNTY**
27 **SPORTS AND WELLNESS CENTER THAT MAY BE INCURRED, INCLUDING OPERATING**
28 **DEFICITS; AND**

29 **(IV) ALLOWS CHARLES COUNTY TO KEEP ALL OPERATING**
30 **PROFITS RESULTING FROM THE OPERATION OF THE CHARLES COUNTY SPORTS AND**
31 **WELLNESS CENTER EACH YEAR.**

32 **(F) ON OR BEFORE DECEMBER 31 EACH YEAR, CHARLES COUNTY SHALL**

1 REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE
2 APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE
3 GOVERNMENT ARTICLE, ON CHARLES COUNTY'S ASSESSMENT OF THE
4 MAINTENANCE AND REPAIR NEEDED TO KEEP THE CHARLES COUNTY SPORTS AND
5 WELLNESS CENTER IN OPERATING ORDER.

6 10-657.7.

7 (A) IN THIS SECTION, "FUND" MEANS THE CHARLES COUNTY SPORTS AND
8 WELLNESS CENTER FUND.

9 (B) THERE IS A CHARLES COUNTY SPORTS AND WELLNESS CENTER FUND.

10 (C) THE PURPOSE OF THE FUND IS TO ENABLE THE AUTHORITY TO:

11 (1) USE THE FUND AS A REVOLVING FUND FOR IMPLEMENTING THIS
12 SUBTITLE AS IT RELATES TO THE CHARLES COUNTY SPORTS AND WELLNESS
13 CENTER; AND

14 (2) PAY ANY EXPENSES INCURRED BY THE AUTHORITY THAT ARE
15 RELATED TO THE CHARLES COUNTY SPORTS AND WELLNESS CENTER.

16 (D) THE AUTHORITY SHALL ADMINISTER THE FUND.

17 (E) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT
18 SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND
19 PROCUREMENT ARTICLE.

20 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
21 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

22 (F) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY,
23 THE RECEIPTS OF THE FUND SHALL BE PLEDGED TO AND CHARGED WITH THE
24 FOLLOWING RELATING TO THE CHARLES COUNTY SPORTS AND WELLNESS
25 CENTER:

26 (I) PAYMENT OF DEBT SERVICE ON AUTHORITY BONDS;

27 (II) ALL REASONABLE CHARGES AND EXPENSES RELATED TO
28 THE AUTHORITY'S BORROWING; AND

29 (III) THE MANAGEMENT OF AUTHORITY OBLIGATIONS.

1 **(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10-634 OF**
2 **THIS SUBTITLE.**

3 **(G) THE FUND CONSISTS OF:**

4 **(1) MONEY APPROPRIATED FOR DEPOSIT IN THE FUND;**

5 **(2) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER**
6 **THIS SUBTITLE CONCERNING THE CHARLES COUNTY SPORTS AND WELLNESS**
7 **CENTER; AND**

8 **(3) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC OR**
9 **PRIVATE SOURCE FOR THE PURPOSES ESTABLISHED FOR THE FUND.**

10 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
11 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

12 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE PAID INTO THE**
13 **FUND.**

14 **Article – State Finance and Procurement**

15 6-226.

16 (a) (2) (i) Notwithstanding any other provision of law, and unless
17 inconsistent with a federal law, grant agreement, or other federal requirement or with the
18 terms of a gift or settlement agreement, net interest on all State money allocated by the
19 State Treasurer under this section to special funds or accounts, and otherwise entitled to
20 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
21 Fund of the State.

22 (ii) The provisions of subparagraph (i) of this paragraph do not apply
23 to the following funds:

24 170. The Cannabis Public Health Fund; [and]

25 171. the Community Reinvestment and Repair Fund; AND

26 **172. THE CHARLES COUNTY SPORTS AND WELLNESS**
27 **CENTER FUND.**

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2023.