
By: Prince George's County Delegation

Introduced and read first time: January 30, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County Board of Education - Limited Fiscal Autonomy - Capital**
3 **Improvement Program**
4 **PG 407-97**

5 FOR the purpose of authorizing the Prince George's County Board of Education to levy,
6 by resolution, a property tax to provide funding for a certain period for certain
7 public school construction and public school capital improvements; providing that
8 the property tax is in addition to the County property tax; making the resolution
9 subject to approval of the voters of the County through a referendum; providing for
10 the collection and administering of the property tax; requiring the tax to be
11 deposited in a special fund and used only for certain purposes; authorizing the
12 County Board to provide for the issuance of bonds and other evidences of
13 indebtedness; requiring that the proceeds from the issuance bonds and other
14 evidences of indebtedness be used for certain purposes; providing for the
15 tax-exempt nature of the bonds and other evidences of indebtedness; requiring the
16 County Board to adopt a budget for each fiscal year; and generally relating to the
17 authority of the Prince George's County Board of Education to levy a property tax
18 and provide for the issuance of bonds and other evidences of indebtedness to fund
19 public school construction and capital improvement projects.

20 BY adding to

21 Article - Education
22 Section 3-1008, 3-1009, and 3-1010
23 Annotated Code of Maryland
24 (1997 Replacement Volume)

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

27 **Article - Education**

28 3-1008.

29 (A) THE COUNTY BOARD MAY LEVY, BY RESOLUTION, A PROPERTY TAX ON
30 THE ASSESSABLE PROPERTY OF THE COUNTY TO PROVIDE FUNDING FOR A PERIOD
31 SPECIFIED IN THE RESOLUTION FOR PUBLIC SCHOOL CONSTRUCTION AND PUBLIC

2

1 SCHOOL CAPITAL IMPROVEMENTS IN THE COUNTY THAT ARE NOT OTHERWISE
2 FUNDED BY THE STATE OR THE COUNTY.

3 (B) THE PROPERTY TAX AUTHORIZED UNDER SUBSECTION (A) OF THIS
4 SECTION IS IN ADDITION TO THE COUNTY'S PROPERTY TAX.

5 (C) A RESOLUTION ADOPTED BY THE COUNTY BOARD TO LEVY A PROPERTY
6 TAX IS SUBJECT TO APPROVAL BY THE VOTERS OF THE COUNTY THROUGH A
7 REFERENDUM HELD AT THE NEXT GENERAL ELECTION.

8 (D) THE PROPERTY TAX:

9 (1) SHALL BE COLLECTED IN THE SAME MANNER THAT STATE AND
10 COUNTY PROPERTY TAXES ARE COLLECTED IN THE COUNTY; AND

11 (2) IS SUBJECT TO THE SAME EXEMPTIONS, CREDITS, PAYMENT
12 REQUIREMENTS, AND ENFORCEMENT PROVISIONS THAT APPLY TO THE COUNTY
13 PROPERTY TAX UNDER THE TAX - PROPERTY ARTICLE, INCLUDING THE
14 IMPOSITION OF A LIEN ON REAL PROPERTY FOR UNPAID TAXES, IMPOSITION OF
15 INTEREST AND PENALTY DUE ON OVERDUE TAXES, AND PROVISIONS RELATING TO
16 TAX SALES.

17 (E) THE COUNTY SHALL REMIT THE TAXES COLLECTED DURING ANY
18 MONTH, AND INTEREST OR PENALTIES ON THE TAXES COLLECTED, TO THE
19 OFFICIAL DESIGNATED BY THE COUNTY BOARD TO RECEIVE THE TAXES.

20 (F) THE TAXES SHALL BE DEPOSITED IN A SPECIAL FUND AND MAY ONLY BE
21 USED FOR PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL CAPITAL
22 IMPROVEMENT PROJECTS THAT HAVE NOT BEEN FUNDED BY THE STATE OR
23 COUNTY AND TO MEET THE DEBT SERVICE ON BONDS ISSUED BY THE COUNTY
24 BOARD FOR PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL CAPITAL
25 IMPROVEMENT PROJECTS.

26 3-1009.

27 (A) THE COUNTY BOARD MAY PROVIDE FOR THE ISSUANCE OF BONDS OR
28 OTHER EVIDENCES OF INDEBTEDNESS IN THE SUMS, FOR THE PURPOSES, ON THE
29 TERMS AND PAYABLE AT THE TIMES, AND FROM THE TAXES OR OTHER SOURCES AS
30 MAY HAVE BEEN OR MAY BE LEVIED IN ACCORDANCE WITH § 3-1008 OF THIS
31 SUBTITLE.

32 (B) THE PROCEEDS FROM THE ISSUANCE OF THE BONDS OR OTHER
33 EVIDENCES OF INDEBTEDNESS MAY ONLY BE USED FOR PUBLIC SCHOOL
34 CONSTRUCTION AND PUBLIC SCHOOL CAPITAL IMPROVEMENT PROJECTS.

35 (C) THE BONDS, NOTES, AND ANY OTHER EVIDENCES OF OBLIGATION ISSUED
36 UNDER THIS SECTION, THEIR TRANSFER, THE INTEREST PAYABLE ON THEM, AND
37 ANY INCOME DERIVED FROM THEM, INCLUDING ANY PROFIT REALIZED IN THEIR
38 SALE OR EXCHANGE, SHALL BE EXEMPT AT ALL TIMES FROM EVERY KIND AND
39 NATURE OF TAXATION BY THIS STATE, OR BY ANY OF ITS POLITICAL SUBDIVISIONS,
40 MUNICIPAL CORPORATIONS, OR PUBLIC AGENCIES OF ANY KIND.

3

1 3-1010.

2 FOR EACH FISCAL YEAR, BEGINNING ON JULY 1 AND ENDING ON JUNE 30 OF
3 THE SUBSEQUENT YEAR, THE COUNTY BOARD SHALL ADOPT A BUDGET THAT
4 CONTAINS THE ESTIMATES OF REVENUE ANTICIPATED AND THE PROPOSED
5 EXPENDITURES FOR DEBT SERVICE ON BONDS ISSUED BY THE COUNTY BOARD AND
6 FOR OTHER PAYMENTS AUTHORIZED BY § 3-1008 OF THIS SUBTITLE OR OTHER LAW.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 1997.