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**By: Prince George's County Delegation**

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - School Facilities Surcharge**  
3 **PG 420-97**4 FOR the purpose of repealing the limitation on the maximum school facilities surcharge  
5 that may be imposed on certain dwellings in Prince George's County; and specifying  
6 that the payment of the school facilities surcharge does not eliminate any authority  
7 to apply certain tests concerning the adequacy of certain school facilities under the  
8 adequate public facility ordinance of Prince George's County.9 BY repealing and reenacting, with amendments,  
10 The Public Local Laws of Prince George's County  
11 Section 10-192.01  
12 Article 17 - Public Local Laws of Maryland  
13 (1995 Edition, as amended)14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:16 **Article 17 - Prince George's County**

17 10-192.01.

18 (a) Subject to Subsection (b) of this Section, the County Council, by ordinance,  
19 may impose a school facilities surcharge on new residential construction for which a  
20 building permit is applied for on or after July 1, 1996.

21 (b) [(1) A school facilities surcharge may not exceed:

22 (A) \$1,500 per single-family, detached dwelling;

23 (B) \$800 per townhouse; or

24 (C) \$400 per dwelling unit for any other building containing more than  
25 a single dwelling unit.]26 [(2)] (1) The County Council, by ordinance, may provide a full or partial  
27 credit against the school facilities surcharge for moderately priced dwelling units.

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1                    [(3)] (2) The school facilities surcharge does not apply to a dwelling unit on  
2 property for which a valid preliminary plan of subdivision was originally approved before  
3 October 1, 1995.

4                    (c) The school facilities surcharge shall be paid by the seller at the time a building  
5 permit is issued for the dwelling unit. The school facilities surcharge may not be  
6 construed to be a settlement cost.

7                    (d) Payment of the school facilities surcharge [shall] DOES NOT eliminate [the  
8 application of] ANY AUTHORITY TO APPLY any test concerning the adequacy of school  
9 facilities under the County's adequate public facility ordinance.

10                   (e) Revenue collected under the school facilities surcharge shall be deposited in a  
11 separate account and may only be used to pay for:

12                    (1) Additional or expanded public school facilities; or

13                    (2) Debt service on bonds issued for additional or expanded public school  
14 facilities.

15                    (f) Revenue collected under the school facilities surcharge is intended to  
16 supplement funding for public school facilities and may not supplant other County or  
17 State funding for school construction.

18                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 1997.