
By: Prince George's County Delegation

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 1997

CHAPTER ____

1 AN ACT concerning

2 **Prince George's County - School Facilities Surcharge**
3 **PG 420-97**

4 FOR the purpose of ~~repealing~~ altering the limitation on the maximum school facilities
5 surcharge that may be imposed on certain dwellings in Prince George's County; ~~and~~
6 specifying that the payment of the school facilities surcharge does not eliminate any
7 authority to apply certain tests concerning the adequacy of certain school facilities
8 under the adequate public facility ordinance of Prince George's County; and
9 providing for the effective date of this Act.

10 BY repealing and reenacting, with amendments,
11 The Public Local Laws of Prince George's County
12 Section 10-192.01
13 Article 17 - Public Local Laws of Maryland
14 (1995 Edition, as amended)

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

17 **Article 17 - Prince George's County**

18 10-192.01.

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

22 (b) ~~f~~(1) A school facilities surcharge may not exceed:

2

1 (A) ~~\$1,500~~ \$2,500 per single-family, detached dwelling;

2 (B) ~~\$800~~ \$1,200 per townhouse; or

3 (C) ~~\$400~~ \$700 per dwelling unit for any other building containing more
4 than a single dwelling unit.}

5 {2} {=} The County Council, by ordinance, may provide a full or partial
6 credit against the school facilities surcharge for moderately priced dwelling units.

7 {3} {=} The school facilities surcharge does not apply to a dwelling unit on
8 property for which a valid preliminary plan of subdivision was originally approved before
9 October 1, 1995.

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

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

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

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

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

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 ~~October~~ June 1, 1997.