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By: **Prince George's County Delegation**  
Introduced and read first time: February 11, 1998  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - School Facilities Surcharge**  
3 **PG 405-98**

4 FOR the purpose of altering the limitation on the maximum school facilities  
5 surcharge that may be imposed on certain dwellings in Prince George's County;  
6 eliminating a certain exemption from the school facilities surcharge; and  
7 generally relating to the school facilities surcharge.

8 BY repealing and reenacting, with amendments,  
9 The Public Local Laws of Prince George's County  
10 Section 10-192.01  
11 Article 17 - Public Local Laws of Maryland  
12 (1995 Edition and 1996 Supplement, as amended)

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

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

16 10-192.01.

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

20 (b) (1) A school facilities surcharge may not exceed \$2,000 PER:

21 (A) [\$2,500 per] single-family, detached dwelling;

22 (B) [\$1,200 per] townhouse; or

23 (C) [\$700 per] dwelling unit for any other building containing more  
24 than a single dwelling unit.

1           (2)     The County Council, by ordinance, may provide a full or partial credit  
2 against the school facilities surcharge for moderately priced dwelling units.

3           (3)     The school facilities surcharge does not apply to[:

4                   (i)]     a mixed retirement development or elderly housing[; or

5                   (ii)     a dwelling unit on property for which a valid preliminary plan  
6 of subdivision was originally approved before October 1, 1995].

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

10    (d)     Payment of the school facilities surcharge does not eliminate any authority  
11 to apply any test concerning the adequacy of school facilities under the County's  
12 adequate public facility ordinance.

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

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

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

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

21    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
22 effect June 1, 1998.