
By: **Delegates Eckardt, W. Baker, Schisler, Guns, Walkup**
Introduced and read first time: February 12, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Code Home Rule Counties - Development of Excise Taxes - Elimination of**
3 **Maximum Charge**

4 FOR the purpose of modifying the authority of a county that has adopted code home
5 rule to impose development excise taxes for the purpose of financing public
6 school facilities or improvements and for the purchase of development rights on
7 agricultural land by eliminating statutory caps restricting the amount of the
8 taxes that may be imposed on a subdivision lot.

9 BY repealing and reenacting, with amendments,
10 Article 25B - Home Rule for Code Counties
11 Section 13F and 13G
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

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

16 **Article 25B - Home Rule for Code Counties**

17 13F.

18 (a) (1) The county commissioners of a code county, by public local law, may
19 impose a development excise tax when a subdivision lot is initially sold or transferred,
20 for financing, in whole or in part, the capital costs of additional or expanded public
21 school facilities or improvements.

22 (2) (i) Before passing a public local law imposing a development excise
23 tax or altering the amount of the tax, the county commissioners shall hold a public
24 hearing.

25 (ii) Notice of the hearing shall be published in at least one
26 newspaper of general circulation in the county not less than 3 or more than 14 days
27 before the hearing.

1 (iii) The notice shall state the subject of the hearing and the time
2 and place that the hearing will occur.

3 (3) The county commissioners shall specify and the notice shall state the
4 amount of the tax and the time during the subdivision process that the tax shall be
5 paid.

6 (4) [A development excise tax imposed under this section may not exceed
7 \$750 per lot.

8 (5)] A development excise tax may not be imposed under this section, in a
9 county that imposes a development impact fee.

10 (b) (1) The county commissioners shall deposit development excise taxes in
11 an account known as the "educational facilities improvement fund".

12 (2) Money in the educational facilities improvement fund may only be
13 used to pay for capital projects, or for debt incurred for capital projects, for additional
14 or expanded public school facilities or improvements.

15 13G.

16 (a) (1) The county commissioners of a code county, by public local law, may
17 impose a development excise tax when a subdivision lot is initially sold or transferred,
18 for financing, in whole or in part, the costs of purchasing development rights on
19 agricultural land.

20 (2) (i) Before passing a public local law imposing a development excise
21 tax or altering the amount of the tax, the county commissioners shall hold a public
22 hearing.

23 (ii) Notice of the hearing shall be published in at least one
24 newspaper of general circulation in the county not less than 3 or more than 14 days
25 before the hearing.

26 (iii) The notice shall state the subject of the hearing and the time
27 and place that the hearing will occur.

28 (3) The county commissioners shall specify and the notice shall state the
29 amount of the tax and the time during the subdivision process that the tax shall be
30 paid.

31 (4) [A development excise tax imposed under this section may not exceed
32 \$750 per lot.

33 (5)] A development excise tax may not be imposed under this section, in a
34 county that imposes a development impact fee.

35 (b) (1) The county commissioners shall deposit development excise taxes in
36 an account known as the "agricultural land preservation fund".

1 (2) Money in the agricultural land preservation fund may only be used to
2 pay for the purchase of development rights on agricultural land.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 1998.