

SENATE BILL 214

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SB 352/97 - B&T

1998 Regular Session
8lr0749

By: **Senators Ferguson and Munson**
Introduced and read first time: January 29, 1998
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Golf Facilities - Use of State or Local Public Funds - Prohibition**

3 FOR the purpose of prohibiting the use of public funds by a political subdivision or
4 unit of State government for the construction, purchase, expansion, or
5 subsidization of a golf facility; providing that a political subdivision or unit of
6 State government may continue to own and maintain a facility that it owned
7 and maintained prior to a certain date; defining certain terms; and generally
8 relating to prohibiting the use of public funds for golf facilities.

9 BY adding to
10 Article 24 - Political Subdivisions - Miscellaneous Provisions
11 Section 15-101 to be under the new title "Title 15. Use of Political Subdivision
12 Public Funds for Golf Facilities"
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

15 BY adding to
16 Article - Natural Resources
17 Section 5-1801 to be under the new subtitle "Subtitle 18. Use of Public Funds
18 for Golf Facilities"
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1997 Supplement)

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

23 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

24 **TITLE 15. USE OF POLITICAL SUBDIVISION PUBLIC FUNDS FOR GOLF FACILITIES.**

25 15-101.

26 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
27 INDICATED.

1 (2) "GOLF FACILITY" MEANS:

2 (I) AN AREA OF LAND, COMMONLY KNOWN AS A GOLF COURSE,
3 THAT HAS A SERIES OF NINE OR MORE HOLES, EACH INCLUDING A TEE, FAIRWAY,
4 PUTTING GREEN, AND ONE OR MORE NATURAL OR ARTIFICIAL HAZARDS FOR THE
5 GAME OF GOLF; OR

6 (II) AN AREA OF LAND, COMMONLY KNOWN AS A DRIVING RANGE,
7 THAT HAS A MINIMUM OF 15 TEES, 150 FEET OF TEEING AREA, AND AT LEAST 600
8 FEET INTO WHICH GOLF BALLS MAY BE HIT OR DRIVEN.

9 (3) "POLITICAL SUBDIVISION" MEANS:

10 (I) A COUNTY;

11 (II) A MUNICIPAL CORPORATION;

12 (III) A SPECIAL TAXING DISTRICT; OR

13 (IV) A PUBLIC CORPORATION OF THE STATE.

14 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
15 POLITICAL SUBDIVISION MAY NOT USE PUBLIC FUNDS FOR THE CONSTRUCTION,
16 PURCHASE, EXPANSION, OR SUBSIDIZATION OF A GOLF FACILITY.

17 (2) A POLITICAL SUBDIVISION THAT OWNS AND MAINTAINS A GOLF
18 FACILITY PRIOR TO JANUARY 1, 1998 MAY CONTINUE TO OWN AND MAINTAIN THAT
19 GOLF FACILITY.

20 **Article - Natural Resources**

21 SUBTITLE 18. USE OF PUBLIC FUNDS FOR GOLF FACILITIES.

22 5-1801.

23 (A) IN THIS SECTION, "GOLF FACILITY" MEANS:

24 (1) AN AREA OF LAND, COMMONLY KNOWN AS A GOLF COURSE, THAT
25 HAS A SERIES OF NINE OR MORE HOLES, EACH INCLUDING A TEE, FAIRWAY, PUTTING
26 GREEN, AND ONE OR MORE NATURAL OR ARTIFICIAL HAZARDS FOR THE GAME OF
27 GOLF; OR

28 (2) AN AREA OF LAND, COMMONLY KNOWN AS A DRIVING RANGE, THAT
29 HAS A MINIMUM OF 15 TEES, 150 FEET OF TEEING AREA, AND AT LEAST 600 FEET INTO
30 WHICH GOLF BALLS MAY BE HIT OR DRIVEN.

31 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
32 UNIT OF STATE GOVERNMENT MAY NOT USE PUBLIC FUNDS FOR THE
33 CONSTRUCTION, PURCHASE, EXPANSION, OR SUBSIDIZATION OF A GOLF FACILITY.

1 (2) A UNIT OF STATE GOVERNMENT THAT OWNS AND MAINTAINS A GOLF
2 FACILITY PRIOR TO JANUARY 1, 1998 MAY CONTINUE TO OWN AND MAINTAIN THAT
3 GOLF FACILITY.

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