

By: **Senator Giannetti**

Introduced and read first time: February 6, 2004

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 3, 2004

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Municipal Corporations - Special Taxing Districts - Public Safety**

3 FOR the purpose of authorizing municipal corporations to create within their  
4 corporate limits special taxing districts for the purpose of financing certain  
5 capital and operating costs to enhance ~~police and fire protection~~ police, fire  
6 protection, and rescue services; authorizing municipal corporations to fix,  
7 impose, and collect certain taxes and issue bonds or other obligations for certain  
8 purposes; and generally relating to authorizing municipal corporations to create  
9 special taxing districts to enhance police and fire protection.

10 BY repealing and reenacting, with amendments,  
11 Article 23A - Corporations - Municipal  
12 Section 44(a)  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)

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

17 **Article 23A - Corporations - Municipal**

18 44.

19 (a) Pursuant to the provisions of § 5 of Article XI-E of the Constitution of  
20 Maryland prohibiting any municipal corporation classified by the General Assembly  
21 under the provisions of § 2 of Article XI-E of the Constitution of Maryland from  
22 levying any type of tax, license fee, franchise tax or fee which was not in effect in the  
23 municipal corporation on January 1, 1954, unless it has received the express

1 authorization of the General Assembly for that purpose, by a general law which in its  
2 terms and its effect applies alike to all similarly classified municipal corporations, the  
3 General Assembly hereby expressly authorizes all municipal corporations in this  
4 State within the class created by § 10 of this article for the purpose of financing the  
5 design, construction, establishment, extension, alteration or acquisition of adequate  
6 storm drainage systems, for the purpose of financing the design, acquisition,  
7 establishment, improvement, extension, operation or alteration of public parking  
8 facilities, or pedestrian malls, for the purpose of financing the design, acquisition,  
9 erection, construction, improvement and maintenance of street and area lighting, FOR  
10 THE PURPOSE OF FINANCING THE CAPITAL AND OPERATING COSTS TO ENHANCE  
11 ~~POLICE AND FIRE PROTECTION~~ POLICE, FIRE PROTECTION, AND RESCUE SERVICES,  
12 and for the purposes set forth in § 2(b)(35) of this article, to create within their  
13 respective corporate limits special taxing districts for these purposes and to levy on  
14 all real and personal property located within these special taxing districts and ad  
15 valorem tax at a rate sufficient to provide adequate annual revenues to pay the  
16 principal and interest on any bonds or other obligations of the municipality issued for  
17 these purposes as the principal and interest become due, and to pay the costs of  
18 operating and maintaining these facilities and activities. These taxes shall be levied  
19 in the same manner, upon the same assessments, for the same period or periods, and  
20 as of the same date or dates of finality as are now or may hereafter be prescribed.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 July 1, 2004.