Unofficial Copy   2004 Regular Session
Q8   (4lr2938)

ENROLLED BILL
-- Budget and Taxation/Ways and Means --

Introduced by **Senator Colburn**

Read and Examined by Proofreaders:

_____
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____M.

_____
President.

CHAPTER_____

1 AN ACT concerning

2   **Dorchester County - County Council - Building Excise Tax**

3 FOR the purpose of authorizing the County Council to fix and impose, by ordinance,
4   a building excise tax on all types of building construction within Dorchester
5   County; requiring the County Council to specify in the ordinance the types of
6   building construction subject to the tax, the criteria and formulas used to assess
7   the tax, and the tax rates; authorizing the County Council to impose different
8   rates of the building excise tax on different types of building construction subject
9   to the tax; requiring that the tax rates relate to the development or
10   growth-related infrastructure needs in the county; requiring that the tax rates
11   not exceed a certain amount; requiring the revenues from the building excise tax
12   to be deposited in a special fund; providing that the revenues from the building
13   excise tax may only be used for certain capital costs of certain public works,
14   improvements, and facilities; authorizing the imposition of the building excise
15   tax throughout Dorchester County, including within municipal corporations;
16   requiring a municipal corporation to assist the county in the collection of the
17   building excise tax if the tax is imposed within the municipal corporation;

1   authorizing a municipal corporation that collects the excise tax to deduct from
2   the revenues collected a certain fee for administrative costs; and generally
3   relating to authorizing the County Council of Dorchester County to impose a
4   building excise tax.

5   BY adding to
6   Article 24 - Political Subdivisions
7   Section 9-1002
8   Annotated Code of Maryland
9   (2001 Replacement Volume and 2003 Supplement)

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

12   **Article 24 - Political Subdivisions**

13   9-1002.

14   (A)   THE COUNTY COUNCIL OF DORCHESTER COUNTY, BY ORDINANCE, MAY
15   FIX AND IMPOSE A BUILDING EXCISE TAX ON ANY BUILDING CONSTRUCTION WITHIN
16   DORCHESTER COUNTY.

17   (B)   THE COUNTY COUNCIL SHALL SPECIFY IN THE ORDINANCE:

18   (1)   THE TYPES OF BUILDING CONSTRUCTION SUBJECT TO THE
19   BUILDING EXCISE TAX;

20   (2)   THE CRITERIA AND FORMULAS USED TO ASSESS THE TAX; AND

21   (3)   THE TAX RATES.

22   (C)   (1)   THE COUNTY COUNCIL MAY IMPOSE DIFFERENT RATES OF THE
23   BUILDING EXCISE TAX ON DIFFERENT TYPES OF BUILDING CONSTRUCTION SUBJECT
24   TO THE BUILDING EXCISE TAX.

25   (2)   THE TAX RATES:

26   (I)   SHALL RELATE TO THE DEVELOPMENT OR GROWTH-RELATED
27   INFRASTRUCTURE NEEDS IN THE COUNTY; AND

28   (II)   MAY NOT EXCEED:

29   1. $5,000 PER ~~LOT OR PARCEL~~ UNIT FOR RESIDENTIAL
30   DEVELOPMENT WHERE BUILDING CONSTRUCTION IS TO OCCUR; OR

31   2. $1 PER SQUARE FOOT FOR ANY CATEGORY OF
32   NONRESIDENTIAL DEVELOPMENT, *NOT TO EXCEED $5,000 PER LOT OR PARCEL*.

33   (D)   (1)   THE REVENUES FROM THE BUILDING EXCISE TAX SHALL BE
34   DEPOSITED IN A SPECIAL FUND.

1   (2)   THE SPECIAL FUND MAY ONLY BE USED FOR THE CAPITAL COSTS OF
2 ADDITIONAL OR EXPANDED PUBLIC WORKS, IMPROVEMENTS, AND FACILITIES
3 REQUIRED TO ACCOMMODATE NEW CONSTRUCTION OR DEVELOPMENT INCLUDING:

4   (I)   EMERGENCY SERVICES;

5   (II)   SHERIFF'S OFFICES; AND

6   (III)   SCHOOLS.

7   (E)   THE BUILDING EXCISE TAX MAY BE IMPOSED THROUGHOUT THE COUNTY,
8 INCLUDING WITHIN MUNICIPAL CORPORATIONS.

9   (F)   (1)   IF THE BUILDING EXCISE TAX IS IMPOSED WITHIN A MUNICIPAL
10 CORPORATION, THE MUNICIPAL CORPORATION SHALL ASSIST THE COUNTY IN THE
11 COLLECTION OF THE BUILDING EXCISE TAX BY:

12   (1)   (I)   COLLECTING AND REMITTING THE TAX TO THE COUNTY; OR

13   (2)   (II)   REQUIRING THE TAX BE PAID TO THE COUNTY IN ACCORDANCE
14 WITH THE TERMS OF THE COUNTY ORDINANCE.

15   (2)   A MUNICIPAL CORPORATION THAT COLLECTS THE TAX AND REMITS
16 THE TAX TO THE COUNTY MAY DEDUCT FROM THE REVENUES COLLECTED A FEE
17 NOT TO EXCEED 2% OF THE REVENUES COLLECTED, FOR ADMINISTRATIVE COSTS.

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