
By: **Senator Colburn**

Introduced and read first time: February 19, 2004

Assigned to: Rules

A BILL ENTITLED

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; and
18 generally relating to authorizing the County Council of Dorchester County to
19 impose a building excise tax.

20 BY adding to
21 Article 24 - Political Subdivisions
22 Section 9-1002
23 Annotated Code of Maryland
24 (2001 Replacement Volume and 2003 Supplement)

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

Article 24 - Political Subdivisions

1
2 9-1002.

3 (A) THE COUNTY COUNCIL OF DORCHESTER COUNTY, BY ORDINANCE, MAY
4 FIX AND IMPOSE A BUILDING EXCISE TAX ON ANY BUILDING CONSTRUCTION WITHIN
5 DORCHESTER COUNTY.

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

7 (1) THE TYPES OF BUILDING CONSTRUCTION SUBJECT TO THE
8 BUILDING EXCISE TAX;

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

10 (3) THE TAX RATES.

11 (C) (1) THE COUNTY COUNCIL MAY IMPOSE DIFFERENT RATES OF THE
12 BUILDING EXCISE TAX ON DIFFERENT TYPES OF BUILDING CONSTRUCTION SUBJECT
13 TO THE BUILDING EXCISE TAX.

14 (2) THE TAX RATES:

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

17 (II) MAY NOT EXCEED \$5,000 PER LOT OR PARCEL WHERE BUILDING
18 CONSTRUCTION IS TO OCCUR.

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

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

24 (I) EMERGENCY SERVICES;

25 (II) SHERIFF'S OFFICES; AND

26 (III) SCHOOLS.

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

29 (F) IF THE BUILDING EXCISE TAX IS IMPOSED WITHIN A MUNICIPAL
30 CORPORATION, THE MUNICIPAL CORPORATION SHALL ASSIST THE COUNTY IN THE
31 COLLECTION OF THE BUILDING EXCISE TAX BY:

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

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

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