

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 786

(Carroll County Senators)

Education, Health, and Environmental Affairs

Environmental Matters

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**Carroll County - County Roads - Funding and Construction**

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This bill authorizes the Carroll County Commissioners, after a public hearing, to adopt an ordinance designating a county road or segment of a road for construction by the county, with a portion of the cost of construction to be paid by the property owners over which the road is designated.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Carroll County expenditures would increase for costs associated with road construction. Revenues would increase due to payments to the county by property owners. The net impact would be negligible since payments by property owners would be used to finance road construction.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill also: (1) specifies notice requirements for public hearings; (2) requires the ordinance to specify which types of road construction are subject to repayment; (3) requires the construction of the designated road to be included in the county's six-year capital improvement program; (4) requires the county to keep accurate records of the cost of road construction; and (5) specifies billing and repayment procedures.

At the time of development, each property owner must pay to the county a proportionate share of the reasonable costs of construction (as determined by a formula established in the ordinance) if the designated road crosses their property. If a property owner dedicates title to property or an easement that is needed to construct a designated road or segment, the owner is entitled to a credit equal to the appraised value of the dedication to offset the owner's repayment obligation. The county may establish a repayment agreement with a property owner to pay the construction costs over a term of up to five years.

**Current Law:** The Carroll County Commissioners do not have the authority to designate any county road or any segment of a county road for construction by the county with the cost of construction to be paid by the property owners over which the road or segment of road is designated.

**Background:** The Carroll County roads capital improvement budget for fiscal 2004 to 2009 totals \$67.3 million, of which \$9.4 million is for fiscal 2004. The Carroll County Bureau of Roads Operations maintains approximately 946 miles of roads and 139 bridges.

**Local Fiscal Effect:** If Carroll County designates county roads or segments of county roads for construction, expenditures to finance county road construction could increase. The expenditure increase would depend on the road miles so designated. The county would offset the costs associated with road construction through the assessment of charges to property owners for their share of road improvements.

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### **Additional Information**

**Prior Introductions:** A similar bill (HB 959) passed the House in 2003 and was assigned to the Senate Rules Committee. HB 959 allowed a 10-year repayment term for property owners whereas SB 786 limits the repayment period to five years.

**Cross File:** None.

**Information Source(s):** Carroll County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2004  
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