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By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Public Safety Surcharge**  
3 **PG 307-05**

4 FOR the purpose of requiring the County Council of Prince George's County to impose  
5 by ordinance a certain public safety surcharge on certain new residential  
6 construction for which a building permit is sought after a certain date;  
7 decreasing the amount of the surcharge after a certain date; specifying that  
8 payment of the surcharge does not eliminate any authority to apply certain tests  
9 concerning the adequacy of public safety facilities; requiring certain  
10 distributions from the surcharge revenue to certain police and fire departments  
11 to be used for certain purposes; providing that the surcharge may not supplant  
12 certain other funding; requiring the Prince George's County Executive to  
13 prepare a certain annual report; and generally relating to a public safety  
14 surcharge in Prince George's County.

15 BY adding to  
16 The Public Local Laws of Prince George's County  
17 Section 10-192.11  
18 Article 17 - Public Local Laws of Maryland  
19 (1999 Edition and 2002 Supplement, as amended)

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

22 **Article 17 - Prince George's County**

23 10-192.11.

24 (A) THE COUNTY COUNCIL, BY ORDINANCE, SHALL IMPOSE A PUBLIC SAFETY  
25 SURCHARGE ON NEW RESIDENTIAL CONSTRUCTION FOR WHICH A BUILDING PERMIT  
26 IS APPLIED ON OR AFTER JANUARY 1, 2006.

27 (B) (1) A PUBLIC SAFETY SURCHARGE IMPOSED ON A SINGLE-FAMILY  
28 DETACHED DWELLING, TOWN HOUSE, OR DWELLING UNIT FOR ANY OTHER

1 BUILDING CONTAINING MORE THAN A SINGLE DWELLING UNIT SHALL BE IN THE  
2 AMOUNT OF:

3 (A) \$8,000 FROM JANUARY 1, 2006 THROUGH DECEMBER 31, 2006;  
4 AND

5 (B) \$5,000 ON OR AFTER JANUARY 1, 2007.

6 (2) THE PUBLIC SAFETY SURCHARGE DOES NOT APPLY TO A  
7 SINGLE-FAMILY DETACHED DWELLING THAT IS TO BE BUILT OR SUBCONTRACTED  
8 BY AN INDIVIDUAL OWNER IN A MINOR SUBDIVISION AND THAT IS INTENDED TO BE  
9 USED AS THE OWNER'S PERSONAL RESIDENCE.

10 (C) THE PUBLIC SAFETY SURCHARGE SHALL BE PAID BY THE SELLER AT THE  
11 TIME A BUILDING PERMIT IS ISSUED FOR THE DWELLING UNIT. THE PUBLIC SAFETY  
12 SURCHARGE MAY NOT BE CONSTRUED TO BE A SETTLEMENT COST.

13 (D) PAYMENT OF THE PUBLIC SAFETY SURCHARGE DOES NOT ELIMINATE ANY  
14 AUTHORITY TO APPLY ANY TEST CONCERNING THE ADEQUACY OF PUBLIC SAFETY  
15 FACILITIES UNDER THE COUNTY'S ADEQUATE PUBLIC FACILITY ORDINANCE.

16 (E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REVENUE  
17 COLLECTED UNDER THE PUBLIC SAFETY SURCHARGE SHALL BE DISTRIBUTED AS  
18 FOLLOWS:

19 (A) 50% TO THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT;

20 (B) 30% TO THE PRINCE GEORGE'S COUNTY FIRE/EMS (EMERGENCY  
21 MEDICAL SERVICES) DEPARTMENT; AND

22 (C) 20% TO THE PRINCE GEORGE'S COUNTY VOLUNTEER FIRE  
23 COMMISSION.

24 (2) (A) REVENUE DISTRIBUTED UNDER PARAGRAPH (1)(A) OF THIS  
25 SUBSECTION MAY BE USED ONLY TO PAY FOR THE PURCHASE OR REHABILITATION  
26 OF POLICE FACILITIES AND EQUIPMENT, INCLUDING PROTECTIVE BODY ARMOR,  
27 CRIME TRACKING TECHNOLOGY, PHOTO IMAGING EQUIPMENT, SURVEILLANCE  
28 DEVICES, WEAPONS, AMMUNITION, AND COMMUNICATION DEVICES.

29 (B) REVENUE DISTRIBUTED UNDER PARAGRAPH (1)(B) AND (C) OF  
30 THIS SUBSECTION MAY BE USED ONLY TO PAY FOR THE PURCHASE OR  
31 REHABILITATION OF FIRE AND RESCUE FACILITIES AND CAPITAL EQUIPMENT,  
32 INCLUDING ELEVATED EQUIPMENT, PUMPERS, TANKERS, LADDER TRUCKS,  
33 AMBULANCES, AND RESCUE VEHICLES.

34 (F) REVENUE COLLECTED UNDER THE PUBLIC SAFETY SURCHARGE IS  
35 INTENDED TO SUPPLEMENT FUNDING FOR PUBLIC SAFETY FACILITIES AND  
36 EQUIPMENT AND MAY NOT SUPPLANT OTHER COUNTY OR STATE FUNDING FOR  
37 PUBLIC SAFETY FACILITIES AND EQUIPMENT.

1 (G) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL PREPARE  
2 AN ANNUAL REPORT ON THE PUBLIC SAFETY SURCHARGE ON OR BEFORE MARCH 1  
3 OF EACH YEAR FOR THE COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, THE  
4 PRINCE GEORGE'S COUNTY SENATE DELEGATION, AND THE PRINCE GEORGE'S  
5 COUNTY HOUSE DELEGATION, TO INCLUDE:

6 (1) A DETAILED DESCRIPTION OF HOW THE FEES WERE EXPENDED; AND

7 (2) THE AMOUNT OF FEES COLLECTED.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2005.