
By: **Delegate Holmes**

Introduced and read first time: February 21, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - School Facilities Surcharge - Exemption**

3 FOR the purpose of providing an exemption from the school facilities surcharge in
4 Prince George's County for certain dormitory construction; and generally
5 relating to an exemption from the school facilities surcharge in Prince George's
6 County.

7 BY repealing and reenacting, without amendments,
8 The Public Local Laws of Prince George's County
9 Section 10-192.01(a)
10 Article 17 - Public Local Laws of Maryland
11 (1999 Edition and 2002 Supplement, as amended)
12 (As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

13 BY repealing and reenacting, with amendments,
14 The Public Local Laws of Prince George's County
15 Section 10-192.01(b)
16 Article 17 - Public Local Laws of Maryland
17 (1999 Edition and 2002 Supplement, as amended)
18 (As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

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

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

22 10-192.01.

23 (a) (1) The County Council, by ordinance, shall impose a school facilities
24 surcharge on new residential construction for which a building permit is issued on or
25 after July 1, 2003.

26 (2) (i) Except as provided under subparagraph (ii) of this paragraph,
27 the County Council may impose a school facilities surcharge on new residential

1 construction for which a building permit is issued on or after July 1, 2003, by a
2 municipal corporation in Prince George's County with zoning authority and the
3 authority to issue building permits.

4 (ii) The County Council may not impose a school facilities
5 surcharge on new residential construction for which a building permit is issued by a
6 municipal corporation if Prince George's County has collected a surcharge on issuance
7 of a county permit for the same new residential construction.

8 (b) (1) (i) For fiscal year 2004, a school facilities surcharge imposed on a
9 single-family detached dwelling, townhouse, or dwelling unit for any other building
10 containing more than a single dwelling unit shall be in the amount of:

11 1. Except as provided in items 2 and 3 of this subparagraph,
12 \$12,000;

13 2. \$7,000 if the building is located between Interstate
14 Highway 495 and the District of Columbia; and

15 3. \$7,000 if the building is included within a basic plan or
16 conceptual site plan that abuts an existing or planned mass transit rail station site
17 operated by the Washington Metropolitan Area Transit Authority.

18 (ii) For fiscal year 2005 and each succeeding fiscal year, the
19 facilities surcharge established in subparagraph (i) of this paragraph shall be
20 adjusted for inflation in accordance with the consumer price index for all urban
21 consumers published by the United States Department of Labor, for the fiscal year
22 preceding the year for which the amount is being calculated.

23 (2) The school facilities surcharge does not apply to a mixed retirement
24 development or elderly housing.

25 (3) The school facilities surcharge does not apply to a single-family
26 detached dwelling that is to be built or subcontracted by an individual owner in a
27 minor subdivision and that is intended to be used as the owner's personal residence.

28 (4) The school facilities surcharge does not apply to multi-family
29 housing designated as student housing within 1.5 miles of the University of
30 Maryland, College Park campus. If the housing is converted from student housing to
31 multi-family housing for the general population, the owner of the property shall pay,
32 at the time of the conversion, the school facilities surcharge in accordance with the
33 laws at the time of the conversion.

34 (5) THE SCHOOL FACILITIES SURCHARGE DOES NOT APPLY TO
35 DORMITORY CONSTRUCTION WITH SPECIAL EXCEPTION APPROVAL FOR A
36 NONPUBLIC SCHOOL UNDER SUBTITLE 27 OF THIS CODE.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 2005.