

(PRE-FILED)

By: **Senator Giannetti**
Requested: October 15, 2004
Introduced and read first time: January 12, 2005
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Municipal Corporations - Special Taxing Districts - Public Safety**

3 FOR the purpose of authorizing municipal corporations to create within their
4 corporate limits special taxing districts for the purpose of financing certain
5 capital and operating costs to enhance police, fire protection, and rescue
6 services; authorizing municipal corporations to fix, impose, and collect certain
7 taxes and issue bonds or other obligations for certain purposes; and generally
8 relating to authorizing municipal corporations to create special taxing districts
9 to enhance police and fire protection.

10 BY repealing and reenacting, with amendments,
11 Article 23A - Corporations - Municipal
12 Section 44(a)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2004 Supplement)

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

17 **Article 23A - Corporations - Municipal**

18 44.

19 (a) Pursuant to the provisions of § 5 of Article XI-E of the Constitution of
20 Maryland prohibiting any municipal corporation classified by the General Assembly
21 under the provisions of § 2 of Article XI-E of the Constitution of Maryland from
22 levying any type of tax, license fee, franchise tax or fee which was not in effect in the
23 municipal corporation on January 1, 1954, unless it has received the express
24 authorization of the General Assembly for that purpose, by a general law which in its
25 terms and its effect applies alike to all similarly classified municipal corporations, the
26 General Assembly hereby expressly authorizes all municipal corporations in this
27 State within the class created by § 10 of this article for the purpose of financing the
28 design, construction, establishment, extension, alteration or acquisition of adequate
29 storm drainage systems, for the purpose of financing the design, acquisition,

1 establishment, improvement, extension, operation or alteration of public parking
2 facilities, or pedestrian malls, for the purpose of financing the design, acquisition,
3 erection, construction, improvement and maintenance of street and area lighting, FOR
4 THE PURPOSE OF FINANCING THE CAPITAL AND OPERATING COSTS TO ENHANCE
5 POLICE, FIRE PROTECTION, AND RESCUE SERVICES, and for the purposes set forth in
6 § 2(b)(35) of this article, to create within their respective corporate limits special
7 taxing districts for these purposes and to levy on all real and personal property
8 located within these special taxing districts an ad valorem tax at a rate sufficient to
9 provide adequate annual revenues to pay the principal and interest on any bonds or
10 other obligations of the municipality issued for these purposes as the principal and
11 interest become due, and to pay the costs of operating and maintaining these facilities
12 and activities. These taxes shall be levied in the same manner, upon the same
13 assessments, for the same period or periods, and as of the same date or dates of
14 finality as are now or may hereafter be prescribed.

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