

# HOUSE BILL 1355

Q8

71r3233

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By: **Washington County Delegation**

Introduced and read first time: March 2, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Building Excise Tax**

3 FOR the purpose of altering certain authority for the Washington County Board of  
4 County Commissioners to impose a building excise tax on certain construction  
5 for a certain period of time; requiring the Washington County Board of County  
6 Commissioners to create a task force to study the Washington County building  
7 excise tax; requiring the task force to submit findings and recommendations to  
8 the Washington County Board of County Commissioners and the Washington  
9 County Delegation by a certain date; defining a certain term; and generally  
10 relating to the Washington County building excise tax.

11 BY repealing and reenacting, without amendments,  
12 The Public Local Laws of Washington County  
13 Section 2–701(a) and (b)  
14 Article 22 – Public Local Laws of Maryland  
15 (1991 Edition and December 1997 Supplement, as amended)  
16 (As enacted by Chapter 468 of the Acts of the General Assembly of 2003, as  
17 amended by Chapter 598 of the Acts of the General Assembly of 2005)

18 BY adding to  
19 The Public Local Laws of Washington County  
20 Section 2–701(b–1)  
21 Article 22 – Public Local Laws of Maryland  
22 (1991 Edition and December 1997 Supplement, as amended)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 22 – Washington County**

4 2–701.

5 (a) (1) The County Commissioners of Washington County, by ordinance,  
6 may fix, impose, and collect a building excise tax on any building construction within  
7 Washington County.

8 (2) The County Commissioners may collect a building excise tax on  
9 building construction within Washington County prior to the date an initial building  
10 permit is issued for that building construction.

11 (b) (1) The County Commissioners shall specify in the ordinance the:

12 (i) Types of building construction subject to the building excise  
13 tax; and

14 (ii) Tax rates.

15 (2) (i) For nonresidential building types, the County  
16 Commissioners may impose a building excise tax not to exceed \$5 per square foot.

17 (ii) The County Commissioners may impose different rates or  
18 waive the building excise tax for different nonresidential building types and uses.

19 (3) Except as provided in paragraph (5) of this subsection, for  
20 single–family residential units, the County Commissioners may impose a building  
21 excise tax rate not to exceed \$13,000 per unit.

22 (4) Except as provided in paragraph (5) of this subsection, for  
23 multifamily residential units, the County Commissioners may impose a building  
24 excise tax rate not to exceed \$15,500 per unit.

25 (5) (i) This paragraph applies to the development of a single  
26 subdivision that has more than 25 residential units.

27 (ii) The County Commissioners may impose a building excise  
28 tax for single–family residential units and multifamily residential units developed in a  
29 subdivision described under subparagraph (i) of this paragraph that does not exceed

1 twice the building excise tax set under paragraph (3) or (4) of this subsection, if the  
2 development of the subdivision:

3 1. Is in a school district where a school is at or above  
4 85% of the State rated school capacity;

5 2. Causes the roads or intersection within 1 centerline  
6 mile in any direction of any new street connecting the subdivision to be lower than a  
7 level of service D; or

8 3. Causes the intersections outside of the urban and  
9 town growth areas to be lower than a level of service C.

10 **(B-1) FOR FISCAL YEAR 2008 ONLY:**

11 **(1) THE LIMITATIONS ON THE BUILDING EXCISE TAX UNDER**  
12 **SUBSECTIONS (B)(2), (3), (4), AND (5) OF THIS SECTION DO NOT APPLY; AND**

13 **(2) ANY EXCISE TAX IMPOSED BY THE COUNTY COMMISSIONERS:**

14 **(I) MAY BE BASED ON THE SQUARE FOOTAGE OF**  
15 **CONSTRUCTION; AND**

16 **(II) MAY BE IMPOSED BASED ON INCREASING GRADUATED**  
17 **RATES FOR INCREASED SQUARE FOOTAGE OF CONSTRUCTION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That:

19 (a) In this section, "Washington County Delegation" means the Senators and  
20 Delegates who are elected from Washington County or any portion of Washington  
21 County.

22 (b) The Washington County Board of County Commissioners shall appoint a  
23 task force to study and make recommendations concerning the excise tax rate and  
24 structure for residential development in Washington County.

25 (c) The task force created under this section shall submit its findings and  
26 recommendations to the Washington County Board of County Commissioners and the  
27 Washington County Delegation on or before September 30, 2007.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2007. It shall remain effective for a period of 1 year and, at the end of June 30,

1 2008, with no further action required by the General Assembly, this Act shall be  
2 abrogated and of no further force and effect.