

CHAPTER 166

(Senate Bill 582)

AN ACT concerning

Prince George's County School Facilities Surcharge – Exemption

FOR the purpose of altering an exemption from the school facilities surcharge in Prince George's County for certain multi-family housing designated as student housing; and generally relating to an exemption from the school facilities surcharge in Prince George's County.

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

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10-192.01(b)(4)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

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

Article 17 – Prince George's County

10-192.01.

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

(2) (i) Except as provided under subparagraph (ii) of this paragraph, the County Council may impose a school facilities surcharge on new residential construction for which a building permit is issued on or after July 1, 2003,

by a municipal corporation in Prince George's County with zoning authority and the authority to issue building permits.

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

(b) (4) (I) The school facilities surcharge does not apply to multi-family housing designated as student housing [within 1.5 miles of the University of Maryland, College Park campus.] **THAT IS LOCATED IN:**

1. THE AREA BOUNDED BY MARYLAND ROUTE 193 TO THE WEST AND NORTH, U.S. ROUTE 1 TO THE EAST, AND THE SOUTHERN BOUNDARY OF THE CITY OF COLLEGE PARK TO THE SOUTH;

2. THE AREA BOUNDED BY U.S. ROUTE 1 TO THE WEST, BERWYN HOUSE ROAD TO THE NORTH, RHODE ISLAND AVENUE TO THE EAST, AND LAKELAND ROAD TO THE SOUTH;

3. THE AREA BOUNDED BY U.S. ROUTE 1 TO THE WEST, PAINT BRANCH PARKWAY TO THE NORTH AND EAST, RHODE ISLAND AVENUE TO THE EAST, AND COLLEGE AVENUE TO THE SOUTH; ~~OR~~

4. THE AREA BOUNDED BY UNIVERSITY BOULEVARD TO THE NORTH, ADELPHI ROAD TO THE EAST, STANFORD STREET TO THE SOUTH, AND UNIVERSITY HILLS PARK TO THE WEST;

5. THE AREA BOUNDED BY THE EASTERN BOUNDARY OF PAINT BRANCH STREAM VALLEY PARK TO THE WEST, PARK ROAD AND A LINE EXTENDING FROM THE WESTERN END OF PARK ROAD DIRECTLY WEST TO PAINT BRANCH STREAM VALLEY PARK TO THE NORTH, U.S. ROUTE 1 TO THE EAST, AND ERIE STREET AND A LINE EXTENDING FROM THE WESTERN END OF ERIE STREET DIRECTLY WEST TO PAINT BRANCH STREAM VALLEY PARK TO THE SOUTH;

6. THE AREA BOUNDED BY AUTOVILLE DRIVE AND A LINE EXTENDING FROM THE SOUTHERN END OF AUTOVILLE DRIVE DIRECTLY SOUTH TO MARYLAND ROUTE 193 TO THE WEST, ERIE STREET TO THE NORTH, U.S. ROUTE 1 TO THE EAST, AND MARYLAND ROUTE 193 TO THE SOUTH; OR

7. THE AREA BOUNDED BY U.S. ROUTE 1 TO THE WEST, MARYLAND ROUTE 193 TO THE NORTH, 48TH AVENUE TO THE EAST, AND GREENBELT ROAD TO THE SOUTH.

(II) SUBJECT TO THE APPROVAL OF THE COUNTY COUNCIL AND THE MUNICIPALITY WHERE THE MULTI-FAMILY HOUSING IS LOCATED, THE SCHOOL FACILITIES SURCHARGE DOES NOT APPLY TO MULTI-FAMILY HOUSING DESIGNATED AS STUDENT HOUSING FOR ANY AREAS NOT LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN THE CITY OF COLLEGE PARK, THE CITY OF HYATTSVILLE, AND THE TOWN OF RIVERDALE PARK.

(III) If the housing is converted from student housing to multi-family housing for the general population, the owner of the property shall pay, at the time of the conversion, the school facilities surcharge in accordance with the laws at the time of the conversion.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, April 24, 2007.