

# SENATE BILL 155

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By: **Senator Colburn**

Introduced and read first time: January 18, 2008

Assigned to: Education, Health, and Environmental Affairs and Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County - Bay Restoration Fee - Lien Against Property**

3 FOR the purpose of establishing in Dorchester County that an unpaid Bay Restoration  
4 Fee is a lien against the property on which the wastewater facility, onsite  
5 sewage disposal system, or holding tank is located; requiring the lien to be  
6 recorded in the office of the clerk for Dorchester County; and generally relating  
7 to the Bay Restoration Fee.

8 BY repealing and reenacting, with amendments,  
9 Article - Environment  
10 Section 9-1605.2(d)  
11 Annotated Code of Maryland  
12 (2007 Replacement Volume and 2007 Supplement)

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

15 **Article - Environment**

16 9-1605.2.

17 (d) (1) Subject to the approval of the Administration, a local government  
18 or a billing authority for a water or wastewater facility may establish a program to  
19 exempt from the requirements of this section a residential dwelling able to  
20 demonstrate substantial financial hardship as a result of the restoration fee.

21 (2) (i) Except as provided in subparagraph (ii) of this paragraph,  
22 the Bay Restoration Fee shall be collected by the local government or the billing  
23 authority for the water or wastewater facility, as appropriate, on behalf of the State.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) For a wastewater facility without a billing authority, the  
2 Comptroller may collect the restoration fee from the facility owner.

3 (3) A local government, billing authority for a water or wastewater  
4 facility, or any other authorized collecting agency:

5 (i) May use all of its existing procedures and authority for  
6 collecting a water or sewer bill, an onsite sewage disposal system bill, or a holding  
7 tank bill in order to enforce the collection of the Bay Restoration Fee; and

8 (ii) Shall establish a segregated account for the deposit of funds  
9 collected under this section.

10 (4) **IN DORCHESTER COUNTY, AN UNPAID BAY RESTORATION**  
11 **FEE SHALL BE:**

12 (I) **A LIEN AGAINST THE PROPERTY ON WHICH THE**  
13 **WASTEWATER FACILITY, ONSITE SEWAGE DISPOSAL SYSTEM, OR HOLDING TANK**  
14 **IS LOCATED; AND**

15 (II) **RECORDED IN THE OFFICE OF THE CLERK FOR**  
16 **DORCHESTER COUNTY.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2008.