

SENATE BILL 780

L1

9lr2843
CF 9lr2845

By: **Carroll County Senators**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Counties - Purchase of Development Rights - Carroll County**

3 FOR the purpose of authorizing Carroll County to enter into an agreement to purchase
4 development rights under certain circumstances; authorizing Carroll County to
5 determine, by resolution, certain provisions, terms, conditions, and the duration
6 of a certain agreement; providing that a certain payment obligation in a certain
7 agreement shall be a general obligation of Carroll County and may not be
8 subject to a certain annual appropriation; authorizing Carroll County to
9 undertake a certain payment obligation without regard to certain limitations
10 and without complying with certain procedures; providing that the exercise of
11 certain authority constitutes the exercise of certain borrowing authority;
12 providing that a certain agreement, the transfer or assignment of a certain
13 agreement, and the payment required by a certain agreement are exempt from
14 certain taxes; and generally relating to the purchase of development rights by
15 Carroll County.

16 BY repealing and reenacting, with amendments,
17 Article 24 – Political Subdivisions – Miscellaneous Provisions
18 Section 20–101
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2008 Supplement)

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22 Article 24 – Political Subdivisions – Miscellaneous Provisions
23 Section 20–102
24 Annotated Code of Maryland
25 (2005 Replacement Volume and 2008 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

2 20–101.

3 This title applies only in:

4 (1) Anne Arundel County;

5 (2) Baltimore County;

6 (3) **CARROLL COUNTY;**

7 (4) Howard County; and

8 [(4)] (5) Prince George’s County.

9 20–102.

10 (a) A county may enter into an agreement to purchase development rights.

11 (b) Except as otherwise provided in this title, a county may determine by
12 resolution the provisions, terms, conditions, and the duration of an agreement
13 authorized under this title.

14 (c) A payment obligation in an agreement authorized under this title:

15 (1) Shall be a general obligation of the county to which its full faith
16 and credit and unlimited taxing power is pledged; and

17 (2) May not be subject to annual appropriation by the county.

18 (d) A county may undertake a payment obligation in an agreement
19 authorized under this title:

20 (1) Without regard to any limitations contained in its charter or other
21 applicable public local law or public general law that would otherwise apply; and

22 (2) Without complying with any procedures contained in its charter or
23 other applicable public local or public general law that otherwise would be required.

24 (e) The exercise of the authority granted in this title to enter into an
25 agreement with a payment obligation for a term of years constitutes the exercise of
26 borrowing authority.

27 (f) An agreement authorized under this title, the transfer or assignment of
28 the agreement, and any payment required by the agreement shall be exempt from
29 taxation by the State or any county, municipal corporation, or public agency.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.