

SENATE BILL 780

L1

9lr2843
CF HB 911

By: **Carroll County Senators**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2009

CHAPTER _____

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)

21 BY repealing and reenacting, without amendments,
22 Article 24 – Political Subdivisions – Miscellaneous Provisions
23 Section 20–102
24 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2005 Replacement Volume and 2008 Supplement)

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

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

5 20–101.

6 This title applies only in:

7 (1) Anne Arundel County;

8 (2) Baltimore County;

9 (3) **CARROLL COUNTY;**

10 (4) Howard County; and

11 [(4)] (5) Prince George’s County.

12 20–102.

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

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

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

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

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

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.