

SENATE BILL 1043

L2

9lr3423

By: **Senator Harrington**

Introduced and read first time: March 9, 2009

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Development Impact Fees**

3 FOR the purpose of repealing a limitation on the amount of a certain development
4 impact fee that may be imposed by the Prince George's County Council for
5 certain purposes under certain circumstances; and generally relating to
6 development impact fees in Prince George's County.

7 BY repealing and reenacting, with amendments,
8 The Public Local Laws of Prince George's County
9 Section 10-265
10 Article 17 - Public Local Laws of Maryland
11 (2003 Edition and 2005 Supplement, as amended)

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

14 **Article 17 - Prince George's County**

15 DIVISION 12. DEVELOPMENT IMPACT FEES.

16 10-265.

17 (a) Subject to the provisions of Subsection (b) of this Section, the County
18 Council may, by ordinance, impose and provide for the collection of development
19 impact fees for financing up to 50% of the capital costs of additional or expanded
20 transportation projects required to accommodate new construction or development.

21 (b) (1) Any impact fees imposed under this Section shall be adopted in
22 accordance with a general statement of public policy adopted by the County Council to
23 impose impact fees in areas of the County in which the level of new construction or
24 development is creating a need for additional or expanded transportation projects.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) [The impact fee imposed under this Section for single-family
2 residences may not exceed \$1,000 per unit.

3 (3)] The County Council shall:

4 (A) Adopt a method for determining the timing and location of
5 the areas in which an impact fee is to be imposed; and

6 (B) In lieu of payment of development impact fees, provide
7 credit for payments made for the construction of, or improvements to, public
8 transportation projects included among the transportation projects subject to impact
9 fee funding within the impact fee area.

10 (c) Any impact fees collected by the County:

11 (1) Shall be retained in a separate account;

12 (2) May be used only for the capital costs of additional or expanded
13 transportation projects within the area in which the fees are imposed; and

14 (3) May not be transferred to any other account.

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