

SENATE BILL 1043

L2

9lr3423

By: **Senator Harrington**

Introduced and read first time: March 9, 2009

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 13, 2009

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: April 3, 2009

CHAPTER _____

1 AN ACT concerning

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

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

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 impact fees for financing up to 50% of the capital costs of additional or expanded
2 transportation projects required to accommodate new construction or development.

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

7 (2) ~~¶~~The impact fee imposed under this Section for single-family
8 residences may not exceed ~~\$1,000 per unit~~:

9 ~~¶~~ (A) ~~UP~~ **UP TO \$3,000 PER UNIT IN THE DEVELOPED**
10 **TIER, AS DEFINED BY THE MARYLAND-NATIONAL CAPITAL PARK AND**
11 **PLANNING COMMISSION IN THE 2002 PRINCE GEORGE'S COUNTY APPROVED**
12 **GENERAL PLAN; OR**

13 ~~¶~~ (B) ~~UP~~ **UP TO \$5,000 PER UNIT IN THE DEVELOPING**
14 **TIER OR THE RURAL TIER, AS DEFINED BY THE MARYLAND-NATIONAL**
15 **CAPITAL PARK AND PLANNING COMMISSION IN THE 2002 PRINCE GEORGE'S**
16 **COUNTY APPROVED GENERAL PLAN.**

17 (3)~~¶~~ The County Council shall:

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

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

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

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

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

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

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