

## **CHAPTER 696**

**(House Bill 911)**

AN ACT concerning

### **Counties – Purchase of Development Rights – Carroll County**

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

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

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

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

20–101.

This title applies only in:

- (1) Anne Arundel County;

- (2) Baltimore County;
- (3) **CARROLL COUNTY;**
- (4) Howard County; and
- [(4)] (5) Prince George's County.

20-102.

- (a) A county may enter into an agreement to purchase development rights.
- (b) Except as otherwise provided in this title, a county may determine by resolution the provisions, terms, conditions, and the duration of an agreement authorized under this title.
- (c) A payment obligation in an agreement authorized under this title:
  - (1) Shall be a general obligation of the county to which its full faith and credit and unlimited taxing power is pledged; and
  - (2) May not be subject to annual appropriation by the county.
- (d) A county may undertake a payment obligation in an agreement authorized under this title:
  - (1) Without regard to any limitations contained in its charter or other applicable public local law or public general law that would otherwise apply; and
  - (2) Without complying with any procedures contained in its charter or other applicable public local or public general law that otherwise would be required.
- (e) The exercise of the authority granted in this title to enter into an agreement with a payment obligation for a term of years constitutes the exercise of borrowing authority.
- (f) An agreement authorized under this title, the transfer or assignment of the agreement, and any payment required by the agreement shall be exempt from taxation by the State or any county, municipal corporation, or public agency.

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

**Approved by the Governor, May 19, 2009.**