

**HB1182/350917/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1182  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “resolutions” and substitute “local laws”; in line 6, strike “, organization, and alteration” and substitute “and organization”; in line 11, strike “application and”; strike beginning with “requiring” in line 12 down through “impose” in line 13 and substitute “providing for the imposition of”; strike beginning with “authorizing” in line 15 down through “bonds;” in line 16 and substitute “requiring the governing body of a county or municipal corporation in which a district is established to review and evaluate the desirability of continuing the existence of a district at certain times and to develop policies and procedures for evaluating the desirability or continuing the district under certain circumstances; providing for the termination of a district and a district corporation under certain circumstances;”; and in line 20, strike “12-412” and substitute “12-411”.

AMENDMENT NO. 2

On page 2, in line 14, after “(F)” insert ““MEMBERS OF THE DISTRICT” MEANS OWNERS OF NONEXEMPT PROPERTY IN THE DISTRICT.”

(G)”.

AMENDMENT NO. 3

On page 2, in line 25, strike “§ 12-409” and substitute “§ 12-408”; and in line 28, strike “RESOLUTION” and substitute “LOCAL LAW”.

On page 3, strike in their entirety lines 1 through 7, inclusive; in lines 8 and 12, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; in lines 9 and 10, strike “AN AUTHORITY” and substitute “A DISTRICT”; in line 12, strike “RESOLUTION” and substitute “LOCAL LAW”; strike beginning with “PROPOSED” in

(Over)

line 13 down through “STATE” in line 14; in line 23, strike “AND”; and in line 25, after “SUBTITLE” insert “;AND”

**(7) IF APPLICABLE, ARTICLES OF INCORPORATION OF THE DISTRICT CORPORATION**.

On pages 3 through 5, strike in their entirety the lines beginning with line 26 on page 3 through line 6 on page 5, inclusive.

**AMENDMENT NO. 4**

On page 5, in line 14, strike “RESOLUTION” and substitute “LOCAL LAW”; strike beginning with “(C)” in line 15 down through “RESOLUTION.” in line 19; and in lines 20, 22, and 25, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

On page 6, in lines 1 and 2, strike “(G)” and “(H)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 6, strike “AND”; in line 7, after “(3)” insert “ANY PROPOSED REVISIONS TO THE BUSINESS PLAN; AND”

**(4)**;

strike beginning with “12-405” in line 9 down through “CORPORATION.” in line 14; in line 15, strike “12-406.” and substitute “12-405.”; and strike beginning with “EXCEPT” in line 16 down through “THE” in line 18 and substitute “THE”.

**AMENDMENT NO. 5**

On page 6, in line 20, strike “12-407.” and substitute “12-406.”; and strike beginning with “ISSUE” in line 27 down through “(III)” in line 28.

On page 7, in lines 1 and 3, strike “(IV)” and “(V)”, respectively, and substitute “(III)” and “(IV)”, respectively; and strike beginning with “FOR” in line 4 down through “(I)” in line 8.

On pages 7 and 8, strike in their entirety the lines beginning with line 11 on page 7 through line 4 on page 8, inclusive.

AMENDMENT NO. 6

On page 8, in line 5, strike “12-408.” and substitute “12-407.”; in line 6, strike “PROPOSER OF” and substitute “OWNERS OF NONEXEMPT PROPERTY WHO SEEK TO ESTABLISH”; strike beginning with “AN” in line 6 down through “DISTRICT” in line 7 and substitute “APPROPRIATE DOCUMENTATION AS DESCRIBED IN SUBSECTION (B) OF THIS SECTION”; in line 12, strike “APPLICATION” and substitute “APPROPRIATE DOCUMENTATION”; in line 19, after “STATEMENT” insert “EXPRESSING THE INTENT TO ESTABLISH A DISTRICT CORPORATION THAT IS”; in the same line, after “BY” insert “AT LEAST 80% OF THE”; and strike beginning with “AT” in line 19 down through “RECORD” in line 21 and substitute “THE TOTAL NUMBER OF PARCELS OF NONEXEMPT PROPERTY”.

On page 9, in line 16, strike “THE” and substitute “WITHIN 45 DAYS AFTER RECEIVING ALL APPROPRIATE DOCUMENTATION UNDER SUBSECTION (B) OF THIS SECTION, THE”; and in line 18, strike “12-409.” and substitute “12-408.”.

AMENDMENT NO. 7

On page 9, strike beginning with “PROPOSER” in line 23 down through “CORPORATION” in line 24 and substitute “OWNERS OF NONEXEMPT PROPERTY WHO SEEK TO ESTABLISH A DISTRICT”.

On page 10, in line 6, strike “DISTRICT MEETS” and substitute “NEEDS OF THE DISTRICT MEET”; in line 9, strike “12-410.” and substitute “12-409.”; in line 10,

after "AUTHORIZATION" insert "BY THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION"; in line 11, strike "A" and substitute "THE"; in line 18, after "IMPOSE" insert "ON MEMBERS OF THE DISTRICT"; in line 18, after "AT" insert "A"; strike beginning with "SUFFICIENT" in line 18 down through "DISTRICT" in line 19 and substitute "SPECIFIED BY THE BOARD"; after line 19, insert:

**"(3) THE TAX IMPOSED UNDER THIS SUBSECTION MAY NOT COUNT AGAINST A COUNTY OR MUNICIPAL CORPORATION TAX CAP."**;

and in line 21, after "COLLECTED" insert "AND DISTRIBUTED EACH QUARTER TO THE DISTRICT".

AMENDMENT NO. 8

On page 10, in line 25, strike "12-411." and substitute "12-410."; in line 26, strike "(A)"; and strike beginning with "OWNERS" in line 28 down through "THE" in line 31 and substitute "A PETITION FOR INCLUSION IS SUBMITTED FROM AT LEAST 80% OF THE OWNERS OF THE TOTAL NUMBER OF PARCELS OF NONEXEMPT PROPERTY IN THE GEOGRAPHIC AREA PROPOSED FOR INCLUSION IN THE".

On page 11, strike beginning with "THE" in line 4 down through "CORPORATION" in line 6 and substitute "THE APPROPRIATE DOCUMENTS, AS APPLICABLE, ARE SUBMITTED UNDER § 12-407 OF THIS SUBTITLE AND A HEARING IS HELD UNDER § 12-408 OF THIS SUBTITLE"; and strike beginning with "(B)" in line 7 down through "CORPORATION." in line 9.

AMENDMENT NO. 9

On page 11, in line 10, strike "12-412." and substitute "12-411."; and after line 10, insert:

“(A) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION IN WHICH A DISTRICT IS ESTABLISHED UNDER THIS SECTION SHALL:

(1) REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING THE DISTRICT EVERY 3 YEARS FROM THE TIME THE DISTRICT IS AUTHORIZED BY LOCAL LAW UNDER § 12-403 OF THIS SUBTITLE; AND

(2) DEVELOP POLICIES AND PROCEDURES FOR EVALUATING THE DESIRABILITY OF CONTINUING THE DISTRICT IF REQUESTED BY OWNERS OF NONEXEMPT PROPERTY IN THE DISTRICT.

(B) IF THE CONTINUING EXISTENCE OF THE DISTRICT IS NOT APPROVED BY THE GOVERNING BODY:

(1) THE DISTRICT SHALL CEASE TO EXIST AS DIRECTED BY THE GOVERNING BODY; AND

(2) THE DISTRICT CORPORATION SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO TERMINATE OPERATION IN A REASONABLE MANNER.”.

On pages 11 through 13, strike in their entirety the lines beginning with line 11 on page 11 through line 14 on page 13, inclusive.