

SENATE BILL 44

M3, L2

(PRE-FILED)

2lr0692
CF 2lr0708

By: **Senator Colburn**

Requested: October 11, 2011

Introduced and read first time: January 11, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

3 FOR the purpose of authorizing the Dorchester County Commissioners to collect the
4 Bay Restoration Fee on behalf of the Dorchester County Sanitary District; and
5 generally relating to the collection of the Bay Restoration Fee.

6 BY repealing and reenacting, without amendments,
7 Article – Environment
8 Section 9–1605.2(d)(2) and (3)
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2011 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Environment
13 Section 9–1605.2(d)(4)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2011 Supplement)

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

18 **Article – Environment**

19 9–1605.2.

20 (d) (2) (i) Except as provided in subparagraph (ii) of this paragraph,
21 the Bay Restoration Fee shall be collected by the local government or the billing
22 authority for the water or wastewater facility, as appropriate, on behalf of the State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) For a wastewater facility without a billing authority, the
2 Comptroller may collect the restoration fee from the facility owner.

3 (3) A local government, billing authority for a water or wastewater
4 facility, or any other authorized collecting agency:

5 (i) May use all of its existing procedures and authority for
6 collecting a water or sewer bill, an onsite sewage disposal system bill, or a holding
7 tank bill in order to enforce the collection of the Bay Restoration Fee; and

8 (ii) Shall establish a segregated account for the deposit of funds
9 collected under this section.

10 (4) (i) **THIS PARAGRAPH APPLIES ONLY IN DORCHESTER**
11 **COUNTY.**

12 (ii) [In Dorchester County, an] **AN** unpaid Bay Restoration Fee
13 shall be a lien against the property served by a wastewater facility, onsite sewage
14 disposal system, or holding tank.

15 [(ii)] (iii) A notice of lien shall be recorded in the land records of
16 Dorchester County.

17 (iv) **THE COUNTY COMMISSIONERS MAY COLLECT THE BAY**
18 **RESTORATION FEE ON BEHALF OF THE DORCHESTER COUNTY SANITARY**
19 **DISTRICT.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2012.