

## Chapter 97

### (House Bill 61)

AN ACT concerning

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

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

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

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

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

#### **Article – Environment**

9–1605.2.

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

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

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

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

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

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

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

**[(ii)] (III)** A notice of lien shall be recorded in the land records of Dorchester County.

**(IV) THE COUNTY ~~COMMISSIONERS~~ COUNCIL MAY COLLECT THE BAY RESTORATION FEE ON BEHALF OF THE DORCHESTER COUNTY SANITARY DISTRICT.**

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

**Approved by the Governor, April 10, 2012.**