

SENATE BILL 1164

C7, L6

6lr3854
CF HB 1636

By: **Senator Ferguson**

Introduced and read first time: March 7, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – South Baltimore Gateway Community Benefits District and**
3 **Distribution of Local Impact Grants**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish
5 certain community benefits district management authorities to include the South
6 Baltimore Gateway Community Benefits District; requiring the ordinance
7 establishing the South Baltimore Gateway Community Benefits District
8 Management Authority to specify and modify the boundaries of the district in a
9 certain manner; requiring the district to include certain neighborhoods; requiring
10 the establishing ordinance to address certain matters, including the powers and
11 functions of the Authority, the duration of the Authority, the boundaries of the
12 district, and the organization and method of initial appointment of officers and board
13 members of the Authority; providing that a certain financial plan of the Authority
14 shall be subject to the approval of the Baltimore City Board of Estimates; providing
15 for the membership of the Authority; specifying the powers of the Authority;
16 prohibiting the Authority from taking certain actions; prohibiting an officer or
17 employee of the Authority from acting, in a certain capacity, as an agent or employee
18 of the Mayor and City Council of Baltimore City or the State; exempting the
19 ordinance establishing the district or Authority from a certain requirement that the
20 ordinance be submitted to certain affected voters in a special election; requiring,
21 starting in a certain fiscal year, a certain percentage of local impact grants from
22 video lottery proceeds to be distributed to the Authority each year; making certain
23 conforming changes; providing for the effective date of certain provisions of this Act;
24 and generally relating to the distribution of certain local impact grants in Baltimore
25 City and the establishment of the South Baltimore Gateway Community Benefits
26 District.

27 BY repealing and reenacting, with amendments,
28 The Charter of Baltimore City
29 Article II – General Powers
30 Section (63)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2007 Replacement Volume, as amended)

2 BY repealing and reenacting, with amendments,
3 Article – State Government
4 Section 9–1A–31(b)(3)
5 Annotated Code of Maryland
6 (2014 Replacement Volume and 2015 Supplement)

7 BY repealing and reenacting, with amendments,
8 The Charter of Baltimore City
9 Article II – General Powers
10 Section (63)(c–1)(1)(i)
11 (2007 Replacement Volume, as amended)
12 (As enacted by Section 1 of this Act)

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 9–1A–31(b)(3)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2015 Supplement)
18 (As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the
19 Second Special Session of 2012)

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

22 **The Charter of Baltimore City**

23 Article II – General Powers

24 The Mayor and City Council of Baltimore shall have full power and authority to
25 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
26 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in
27 particular, without limitation upon the foregoing, shall have power by ordinance, or such
28 other method as may be provided for in its Charter, subject to the provisions of said
29 Constitution and Public General Laws:

30 (63)

31 (a) (1) To establish, by ordinance, not more than six community benefits
32 district management authorities, including the Charles Village Community Benefits
33 District [and], the Midtown Community Benefits District, **AND THE SOUTH BALTIMORE**
34 **GATEWAY COMMUNITY BENEFITS DISTRICT**, within the City to provide services
35 consistent with paragraph (2) of this subsection to the business interests and residents of
36 the proposed district.

1 (2) To establish community benefits district management authorities to
2 promote and market districts, provide supplemental security and maintenance services,
3 provide amenities in public areas, provide park and recreational programs and functions,
4 and after an authority is established, other services and functions as requested by the
5 authority and approved through an ordinance by the Mayor and City Council.

6 (3) To provide that community benefits district management authorities
7 shall be proposed by the Board of Estimates of Baltimore City and approved through an
8 ordinance by the Mayor and City Council.

9 (b) (1) The ordinance establishing the Charles Village Community Benefits
10 District Management Authority shall specify and modify the boundaries of the district, but
11 in no event shall the district be outside of the lines, as follows:

12 (i) on the south, a line beginning at the intersection of the center
13 lines of 20th Street and Howard Street, running east along the center line of 20th Street to
14 the center line of Guilford Avenue; then

15 (ii) running north along the center line of Guilford Avenue to the
16 center line of 25th Street; then

17 (iii) running east along the center line of 25th Street to the center
18 line of Loch Raven Boulevard; then running northeast along the centerline of Loch Raven
19 Boulevard to the center line of the tracks of the CSX Railroad (approximately 500 feet north
20 of 25th Street); then

21 (iv) running west along the center line of the CSX railroad tracks to
22 the center line of Greenmount Avenue; then

23 (v) running north along the center line of Greenmount Avenue to the
24 center line of Old York Road; then

25 (vi) running north along the center line of Old York Road to the
26 center line of 43rd Street; then

27 (vii) running west along the center line of 43rd Street to the center
28 line of Greenmount Avenue; then

29 (viii) running south along the center line of Greenmount Avenue to the
30 center line of 33rd Street; then

31 (ix) running west along the center line of 33rd Street to the center
32 line of Charles Street; then

33 (x) running south along the center line of Charles Street to the
34 center line of 29th Street; then

1 (xi) running west along the center line of 29th Street to the center
2 line of Howard Street; then running south along the center line of Howard Street to the
3 center line of 26th Street; then

4 (xii) running west along the center line of 26th Street to the center
5 line of Huntingdon Avenue; then running south along the center line of Huntingdon Avenue
6 to the center line of 25th Street; then

7 (xiii) running east along the center line of 25th Street to the center
8 line of Howard Street; then

9 (xiv) running south along the center line of Howard Street to the
10 center line of 24th Street; then

11 (xv) running west along the center line of 24th Street to the center
12 line of Huntingdon Avenue; then

13 (xvi) running south along the center line of Huntingdon Avenue to the
14 center line of 23rd Street; then running west along the center line of 23rd Street to the
15 center line of Huntingdon Avenue; then

16 (xvii) running south along the center line of Huntingdon Avenue to the
17 center line of 21st Street; then

18 (xviii) running east along the center line of 21st Street to the center line
19 of Howard Street; then

20 (xix) running south along the center line of Howard Street to the
21 center line of 20th Street (point of origin).

22 (2) Notwithstanding paragraph (1) of this subsection, the Charles Village
23 Community Benefits District may include properties binding on either side of a street or
24 the CSX railroad tracks where they comprise part of the boundaries under this subsection.

25 **(B-1) (1) THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE**
26 **GATEWAY COMMUNITY BENEFITS DISTRICT MANAGEMENT AUTHORITY SHALL**
27 **SPECIFY AND MODIFY THE BOUNDARIES OF THE DISTRICT, BUT IN NO EVENT SHALL**
28 **THE DISTRICT BE OUTSIDE THE LINES, AS FOLLOWS:**

29 **(I) ON THE SOUTH, A LINE BEGINNING AT THE INTERSECTION**
30 **OF THE CENTER LINES OF PATAPSCO AVENUE AND POTEE STREET, RUNNING**
31 **NORTH ALONG THE CENTER LINE OF POTEE STREET TO THE CENTER LINE OF**
32 **HOWARD STREET; THEN**

33 **(II) RUNNING NORTH ALONG THE CENTER LINE OF HANOVER**
34 **STREET TO THE CENTER LINE OF MCCOMAS STREET; THEN**

1 (III) RUNNING EAST ALONG THE CENTER LINE OF McCOMAS
2 STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

3 (IV) RUNNING NORTH ALONG THE CENTER LINE OF KEY
4 HIGHWAY TO THE CENTER LINE OF LIGHT STREET; THEN

5 (V) RUNNING NORTH ALONG THE CENTER LINE OF LIGHT
6 STREET TO THE CENTER LINE OF LOMBARD STREET; THEN

7 (VI) RUNNING WEST ALONG THE CENTER LINE OF LOMBARD
8 STREET TO THE CENTER LINE OF SCOTT STREET; THEN

9 (VII) RUNNING SOUTH ALONG THE CENTER LINE OF SCOTT
10 STREET TO THE CENTER LINE OF PRATT STREET; THEN

11 (VIII) RUNNING WEST ALONG THE CENTER LINE OF PRATT
12 STREET TO THE CENTER LINE OF CAREY STREET; THEN

13 (IX) RUNNING SOUTH ALONG THE CENTER LINE OF CAREY
14 STREET TO THE CENTER LINE OF THE TRACKS OF THE BALTIMORE AND OHIO
15 RAILROAD; THEN

16 (X) RUNNING WEST ALONG THE CENTER LINE OF THE TRACKS
17 OF THE BALTIMORE AND OHIO RAILROAD TO THE GWYNNNS FALLS; THEN

18 (XI) RUNNING SOUTH ALONG THE CENTER LINE OF THE GWYNNNS
19 FALLS TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

20 (XII) RUNNING WEST ALONG THE CENTER LINE OF WASHINGTON
21 BOULEVARD TO THE CENTER LINE OF HOLLINS FERRY ROAD; THEN

22 (XIII) RUNNING SOUTH ALONG THE CENTER LINE OF HOLLINS
23 FERRY ROAD TO THE CENTER LINE OF THE TRACKS OF THE CSX RAILROAD; THEN

24 (XIV) RUNNING SOUTHWEST ALONG THE CENTER LINE OF THE
25 TRACKS OF THE CSX RAILROAD TO THE CENTER LINE OF PATAPSCO AVENUE
26 (POINT OF ORIGIN).

27 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE
28 SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT SHALL INCLUDE
29 PROPERTIES WITHIN THE SAINT PAUL, MOUNT WINANS, LAKELAND, CHERRY HILL,
30 WESTPORT, CARROLL PARK, CARROLL-CAMDEN INDUSTRIAL AREA,

1 PIGTOWN/WASHINGTON VILLAGE, BARRE CIRCLE, RIDGELY'S DELIGHT,
2 OTTERBEIN, FEDERAL HILL, RIVERSIDE, SOUTH BALTIMORE, STADIUM AREA,
3 SPRING GARDEN INDUSTRIAL AREA, AND WESTPORT NEIGHBORHOOD
4 STATISTICAL AREAS ACCORDING TO THE 2011 NEIGHBORHOOD STATISTICAL
5 AREAS MAP.

6 (c) An ordinance establishing a community benefits district management
7 authority shall address the following:

8 (1) specify the powers and functions within the limits of this section, which
9 may be exercised and conducted by the Authority and the amount of taxes or charges which
10 may be imposed on properties in the district.

11 (2) specify the duration of the Authority and define the boundaries of the
12 district.

13 (3) provide for the imposition and collection of the taxes or charges and for
14 disbursement of the revenue therefrom to the Authority. The financial plan of the
15 Authority, including its annual budget and its tax rate and schedule of charges, shall be
16 subject to approval by the Board of Estimates. Taxes and charges imposed under this
17 paragraph may not exceed those proposed by the Authority.

18 (4) determine the organization and method of initial appointment of
19 officers and board members of the Authority. The majority of the members of the board
20 shall be owners or representatives of owners of properties in the district that are subject to
21 taxes or charges under this section. A voting member of the board must be eligible to vote
22 in the election under subsection [(j)] (K) of this section.

23 (5) determine what classes of property in the district owned by public
24 service companies as defined in [Article 78] THE PUBLIC UTILITIES ARTICLE of the
25 Annotated Code of Maryland shall be subject to or exempt from taxes or charges under this
26 section.

27 (C-1) (1) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE
28 ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY
29 BENEFITS DISTRICT MANAGEMENT AUTHORITY SHALL ADDRESS THE FOLLOWING:

30 (I) SPECIFY THE POWERS AND FUNCTIONS WITHIN THE LIMITS
31 OF THIS SECTION, WHICH MAY BE EXERCISED AND CONDUCTED BY THE AUTHORITY
32 AND FUND THE AUTHORITY WITH NOT LESS THAN 50% OF THE LOCAL IMPACT
33 GRANTS FROM VIDEO LOTTERY PROCEEDS DISTRIBUTED TO BALTIMORE CITY
34 UNDER § 9-1A-31(A)(1)(I) OF THE STATE GOVERNMENT ARTICLE OF THE
35 ANNOTATED CODE OF MARYLAND;

1 **(II) SPECIFY THE DURATION OF THE AUTHORITY AND DEFINE**
2 **THE BOUNDARIES OF THE DISTRICT;**

3 **(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**
4 **PROVIDE FOR THE DISBURSEMENT OF THE REVENUE FROM LOCAL IMPACT GRANTS**
5 **TO THE AUTHORITY; AND**

6 **(IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,**
7 **DETERMINE THE ORGANIZATION AND METHOD OF INITIAL APPOINTMENT OF**
8 **OFFICERS AND BOARD MEMBERS OF THE AUTHORITY.**

9 **(2) THE FINANCIAL PLAN OF THE AUTHORITY, INCLUDING ITS**
10 **ANNUAL BUDGET, SHALL BE SUBJECT TO APPROVAL BY THE BOARD OF ESTIMATES.**

11 **(3) (I) THE BOARD SHALL CONSIST OF NOT MORE THAN 19**
12 **MEMBERS.**

13 **(II) THE MAJORITY OF THE MEMBERS OF THE BOARD SHALL BE**
14 **RESIDENTS OF THE DISTRICT.**

15 **(III) THE AUTHORITY SHALL BE CHAIRED BY THE STATE**
16 **SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO**
17 **LOTTERY FACILITY IS LOCATED.**

18 **(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE**
19 **AUTHORITY'S BOARD SHALL INCLUDE TWO STATE DELEGATES WHO REPRESENT**
20 **THE LEGISLATIVE DISTRICT OR DISTRICTS WHERE COMMUNITIES SURROUNDING**
21 **THE VIDEO LOTTERY FACILITY ARE LOCATED.**

22 **(V) THE STATE DELEGATES SHALL BE DESIGNATED BY THE**
23 **SPEAKER OF THE HOUSE.**

24 **(VI) THE CHAIR OF THE AUTHORITY SHALL SELECT TWO**
25 **MEMBERS OF THE BOARD.**

26 (d) As provided by ordinance, the Authority may have the power:

27 (1) to be a special tax district and to conduct the functions which are
28 assigned to it by the City;

29 (2) to acquire, hold and use property necessary to achieve its purposes;

30 (3) to make contracts;

1 (4) to sue and be sued;

2 (5) to borrow and accept grants for purposes consistent with the purposes
3 of the Authority;

4 (6) to employ and discharge personnel to carry out its public purposes;

5 (7) to propose in its annual budget the taxes or charges on properties
6 within the district. Property that is exempt under State law from ordinary property taxes
7 shall be exempt from taxes or charges assessed to support the Authority. Before adopting
8 its proposed budget and making its recommendations to the City, an Authority shall hold
9 a public hearing on taxes or charges proposed for the district. The Authority shall publish
10 notice of the hearing in a newspaper of general circulation in Baltimore City at least once
11 a week for 3 consecutive weeks before the hearing;

12 (8) to adopt, amend and modify bylaws, all of which shall be subject to the
13 approval of the Board of Estimates;

14 (9) to establish and elect officers and provide for their terms and duties;

15 (10) to contract for and purchase goods and services, without being subject
16 to the City requirements regarding wage scales, competitive bidding or other local
17 procurement laws. However, the Authority shall be subject to City ordinances and City
18 policy requiring achievement of goals regarding minority and women's business
19 enterprises; and

20 (11) to do all things necessary or convenient to carry out its powers.

21 **(D-1) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE**
22 **ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY**
23 **BENEFITS DISTRICT MANAGEMENT AUTHORITY MAY AUTHORIZE THE AUTHORITY**
24 **TO:**

25 **(I) BE A SPECIAL BENEFITS DISTRICT AND TO CONDUCT THE**
26 **FUNCTIONS WHICH ARE ASSIGNED TO IT BY THE CITY;**

27 **(II) ACQUIRE, HOLD, AND USE PROPERTY NECESSARY TO**
28 **ACHIEVE ITS PURPOSES;**

29 **(III) MAKE CONTRACTS;**

30 **(IV) SUE AND BE SUED;**

31 **(V) BORROW AND ACCEPT GRANTS FOR PURPOSES CONSISTENT**
32 **WITH THE PURPOSES OF THE AUTHORITY;**

1 (VI) EMPLOY AND DISCHARGE PERSONNEL TO CARRY OUT ITS
2 PUBLIC PURPOSES;

3 (VII) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
4 PROPOSE IN ITS ANNUAL BUDGET THE ALLOCATION OF LOCAL IMPACT GRANTS
5 DISTRIBUTED TO THE AUTHORITY;

6 (VIII) ADOPT, AMEND, AND MODIFY BYLAWS, ALL OF WHICH SHALL
7 BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES;

8 (IX) ESTABLISH AND ELECT OFFICERS AND PROVIDE FOR THEIR
9 TERMS AND DUTIES;

10 (X) SUBJECT TO CITY ORDINANCES AND CITY POLICY
11 REQUIRING ACHIEVEMENT OF GOALS REGARDING MINORITY AND WOMEN'S
12 BUSINESS ENTERPRISES BUT NOT TO THE CITY REQUIREMENTS REGARDING WAGE
13 SCALES, COMPETITIVE BIDDING, OR OTHER LOCAL PROCUREMENT LAWS,
14 CONTRACT FOR AND PURCHASE GOODS AND SERVICES; AND

15 (XI) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT
16 ITS POWERS.

17 (2) (I) BEFORE ADOPTING ITS PROPOSED BUDGET AND MAKING
18 ITS RECOMMENDATIONS TO THE CITY, THE AUTHORITY SHALL HOLD A PUBLIC
19 HEARING ON THE ALLOCATIONS PROPOSED FOR THE DISTRICT.

20 (II) THE AUTHORITY SHALL PUBLISH NOTICE OF THE HEARING
21 IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A
22 WEEK FOR 3 CONSECUTIVE WEEKS BEFORE THE HEARING.

23 (e) An Authority created under this section may not:

24 (1) exercise any police or general powers other than those authorized by
25 State law and City ordinance;

26 (2) pledge the full faith or credit of the City;

27 (3) impose taxes or charges in excess of those approved by the Board of
28 Estimates;

29 (4) exercise the power of eminent domain;

30 (5) extend its life without the approval of the City Council;

1 (6) except as otherwise provided by law, engage in competition with the
2 private sector;

3 (7) except as otherwise provided in subsection [(i)] (J) of this section, revert
4 charges or taxes collected pursuant to this section to the General Fund of the City;

5 (8) be an agency of the Mayor and City Council of Baltimore or the State of
6 Maryland, and its officers and employees may not act as agents or employees of the Mayor
7 and City Council of Baltimore or the State of Maryland;

8 (9) employ individuals who reside outside the City of Baltimore; and

9 (10) except as required or appropriate to facilitate its normal operations,
10 incur debt.

11 **(E-1) (1) THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS**
12 **DISTRICT MANAGEMENT AUTHORITY CREATED UNDER THIS SECTION MAY NOT:**

13 **(I) EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN**
14 **THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE;**

15 **(II) PLEDGE THE FULL FAITH OR CREDIT OF THE CITY;**

16 **(III) IMPOSE ANY TAXES OR CHARGES;**

17 **(IV) EXERCISE THE POWER OF EMINENT DOMAIN;**

18 **(V) EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY**
19 **COUNCIL;**

20 **(VI) EXCEPT AS OTHERWISE PROVIDED BY LAW, ENGAGE IN**
21 **COMPETITION WITH THE PRIVATE SECTOR;**

22 **(VII) EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS SECTION,**
23 **REVERT LOCAL IMPACT GRANTS TO THE GENERAL FUND OF THE CITY;**

24 **(VIII) BE AN AGENCY OF THE MAYOR AND CITY COUNCIL OF**
25 **BALTIMORE OR THE STATE OF MARYLAND;**

26 **(IX) EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE THE CITY OF**
27 **BALTIMORE; AND**

1 **(X) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS**
2 **NORMAL OPERATIONS, INCUR DEBT.**

3 **(2) AN OFFICER OR EMPLOYEE OF THE SOUTH BALTIMORE GATEWAY**
4 **COMMUNITY BENEFITS DISTRICT MANAGEMENT AUTHORITY CREATED UNDER**
5 **THIS SECTION MAY NOT ACT, IN THE OFFICER'S OR EMPLOYEE'S CAPACITY FOR THE**
6 **AUTHORITY, AS AN AGENT OR EMPLOYEE OF THE MAYOR AND CITY COUNCIL OF**
7 **BALTIMORE OR THE STATE OF MARYLAND.**

8 (f) In adopting an ordinance, the City Council shall:

9 (1) give consideration to the views of the property owners, the retail
10 merchants, the property tenants, and the other members of the business and residential
11 communities within the district;

12 (2) make a determination that a district created under this section will
13 reflect a diverse mix of business and residential properties; and

14 (3) make a determination that a district created under this section will
15 reflect a diverse economic, social, and racial mix.

16 (g) The Mayor and City Council shall review the effectiveness and desirability of
17 continuing the existence of any district established under this section every 4 years from
18 the enactment of the ordinance.

19 (h) (1) The Mayor and City Council shall review and determine the desirability
20 of continuing the existence of each community benefits district established under this
21 section every 4 years:

22 (i) beginning with the first meeting of the Mayor and City Council
23 in December 2001 for the Charles Village Community Benefits District, Management
24 Authority;

25 (ii) beginning with the first meeting of the Mayor and City Council
26 in December, 2003 for the Midtown Community Benefits District; and

27 (iii) beginning 4 years after the date of the establishment of any other
28 community benefits district created under this section.

29 (2) If the continuing existence of a community benefits district is not
30 approved:

31 (i) the district shall cease to exist at the end of the City's fiscal year
32 in which approval was not granted; and

1 (ii) the District Management Authority shall continue its existence
 2 only as long as necessary to terminate operations in a reasonable manner and to arrange
 3 for the disposition of all funds not needed to satisfy outstanding obligations and reserves
 4 for uncertain obligations and liabilities.

5 (i) The Mayor and City Council of Baltimore may not permit a reduction in the
 6 services provided by the City in a district due to the establishment of a community benefits
 7 district management authority.

8 (j) In the event of a dissolution of a community benefits district, any unspent
 9 funds shall revert back to the City's General Fund.

10 (k) (1) **THIS SUBSECTION DOES NOT APPLY TO AN ORDINANCE ADOPTED**
 11 **CONCERNING THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT.**

12 (2) An ordinance adopted pursuant to this section shall take effect only if
 13 approved by 58% of the aggregate votes cast in a special election by the affected voters.

14 [(2)] (3) The ordinance shall provide criteria for the eligibility of voters
 15 for purposes of the election required by this subsection.

16 [(3)] (4) The ordinance shall provide procedures for a special election as
 17 required in this subsection, which may be administered by write-in ballots.

18 Article – State Government

19 9–1A–31.

20 (b) (3) In Baltimore City[,]:

21 (I) **BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE**
 22 **LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION**
 23 **SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY**
 24 **BENEFITS DISTRICT MANAGEMENT AUTHORITY; AND**

25 (II) local impact grants provided under subsection (a)(1)(i) of this
 26 section shall be used for improvements in the communities in immediate proximity to the
 27 video lottery facility and may be used for the following purposes:

28 [(i)] 1. infrastructure improvements;

29 [(ii)] 2. facilities;

30 [(iii)] 3. public safety;

1 **(II)** local impact grants provided under subsection (a)(3)(i) of this
2 section shall be used for improvements in the communities in immediate proximity to the
3 video lottery facility and may be used for the following purposes:

4 **[(i)] 1.** infrastructure improvements;

5 **[(ii)] 2.** facilities;

6 **[(iii)] 3.** public safety;

7 **[(iv)] 4.** sanitation;

8 **[(v)] 5.** economic and community development, including housing;

9 and

10 **[(vi)] 6.** other public services and improvements.

11 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
12 effect on the taking effect of Section 3 of Chapter 1 of the Acts of the General Assembly of
13 the Second Special Session of 2012. If Section 3 of Chapter 1 of the Acts of the General
14 Assembly of the Second Special Session of 2012 does not take effect, Section 2 of this Act
15 shall be abrogated and of no further force and effect.

16 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this
17 Act, this Act shall take effect June 1, 2016.