

HOUSE BILL 1636

L2

7lr2379

By: **Prince George's County Delegation**

Introduced and read first time: March 2, 2017

Assigned to: Rules and Executive Nominations

Re-referred to: Environment and Transportation, March 8, 2017

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2017

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – School Facilities and Public Safety Surcharges –**
3 **Maryland Transit Administration Station**

4 **PG 430–17**

5 FOR the purpose of establishing reductions from the school facilities surcharge and the
6 public safety surcharge in Prince George's County for certain residential
7 construction that abuts an existing or planned mass transit rail station site operated
8 by the Maryland Transit Administration and from the school facilities surcharge for
9 certain multifamily housing constructed within a certain distance of a Purple Line
10 station under certain circumstances; establishing an exemption from the school
11 facilities surcharge for certain dwelling units that are located within a certain
12 distance of a Purple Line station under certain circumstances; ~~extending the~~
13 ~~termination date of certain provisions of law that reduce the school facilities~~
14 ~~surcharge for certain multifamily housing and exempt certain dwelling units from~~
15 ~~the school facilities surcharge~~; and generally relating to the applicability and amount
16 of the school facilities surcharge and the public safety surcharge in Prince George's
17 County.

18 BY repealing and reenacting, without amendments,
19 The Public Local Laws of Prince George's County
20 Section 10–192.01(a)(1) and 10–192.11(a)
21 Article 17 – Public Local Laws of Maryland
22 (2011 Edition, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
2 The Public Local Laws of Prince George's County
3 Section 10-192.01(b)(1)
4 Article 17 – Public Local Laws of Maryland
5 (2011 Edition, as amended)

6 BY repealing and reenacting, with amendments,
7 The Public Local Laws of Prince George's County
8 Section 10-192.01(b-1)
9 Article 17 – Public Local Laws of Maryland
10 (2011 Edition, as amended)
11 (As enacted by Chapter 685 of the Acts of the General Assembly of 2013)

12 BY repealing and reenacting, with amendments,
13 The Public Local Laws of Prince George's County
14 Section 10-192.11(b)
15 Article 17 – Public Local Laws of Maryland
16 (2011 Edition, as amended)
17 (As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

18 ~~BY repealing and reenacting, with amendments,~~
19 ~~Chapter 685 of the Acts of the General Assembly of 2013~~
20 ~~Section 2~~

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

23 **Article 17 – Prince George's County**

24 10-192.01.

25 (a) (1) The County Council, by ordinance, shall impose a school facilities
26 surcharge on new residential construction for which a building permit is issued on or after
27 July 1, 2003.

28 (b) (1) (A) For Fiscal Year 2004, a school facilities surcharge imposed on a
29 single-family detached dwelling, townhouse, or dwelling unit for any other building
30 containing more than a single dwelling unit shall be in the amount of:

31 (i) Except as provided in items (ii) and (iii) of this
32 subparagraph, Twelve Thousand Dollars (\$12,000);

33 (ii) Seven Thousand Dollars (\$7,000) if the building is located
34 between Interstate Highway 495 and the District of Columbia; and

1 (iii) Seven Thousand Dollars (\$7,000) if the building is
2 included within a Basic Plan or Conceptual Site Plan that abuts an existing or planned
3 mass transit rail station site operated by the Washington Metropolitan Area Transit
4 Authority **OR BY THE MARYLAND TRANSIT ADMINISTRATION.**

5 (B) For Fiscal Year 2005 and each succeeding fiscal year, the
6 facilities surcharge established in subparagraph (A) of this paragraph shall be adjusted for
7 inflation in accordance with the Consumer Price Index for all urban consumers published
8 by the United States Department of Labor, for the fiscal year preceding the year for which
9 the amount is being calculated.

10 (b-1) (1) The school facilities surcharge under this section shall be reduced by
11 50% for multifamily housing constructed:

12 (A) Within an approved transit district overlay zone;

13 (B) Where there is no approved transit district overlay zone, within
14 one-quarter mile of a Metro station **OR A PURPLE LINE STATION;** or

15 (C) Within the Bowie State MARC Station Community Center
16 Designation Area, as defined in the Approved Bowie State MARC Station Sector Plan and
17 Sectional Map Amendment.

18 (2) The school facilities surcharge under this section does not apply to a
19 dwelling unit that is a studio apartment or efficiency apartment if the dwelling unit is
20 located:

21 (A) Within the county urban centers and corridors, as defined in §
22 27A-106 of the County Code;

23 (B) Within an approved transit district overlay zone; or

24 (C) Where there is no approved transit district overlay zone, within
25 one-quarter mile of a Metro station **OR A PURPLE LINE STATION.**

26 10-192.11.

27 (a) The County Council, by ordinance, may impose a public safety surcharge on
28 new residential construction for which a Preliminary Plan has been approved on or after
29 July 1, 2005.

30 (b) (1) Except as provided in paragraph (3) of this Subsection, a public safety
31 surcharge imposed on a single-family detached dwelling, town house, or dwelling unit for
32 any other building containing more than a single dwelling unit shall be in the amount of:

33 (A) Six Thousand Dollars (\$6,000); or

(B) Two Thousand Dollars (\$2,000) for construction in:

(i) The Developed Tier, as defined by the Maryland–National Capital Park and Planning Commission in the Prince George’s County approved General Plan; and

(ii) An area included in a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority **OR BY THE MARYLAND TRANSIT ADMINISTRATION** and complies with the requirements of any sector plan, master plan, or overlay zone approved by the Prince George’s County District Council.

(2) The public safety surcharge does not apply to a single–family detached dwelling that is to be built or subcontracted by an individual owner in a minor subdivision and that is intended to be used as the owner’s personal residence.

(3) The governing body of Prince George’s County may waive any surcharge imposed under subsection (b)(1)(B) of this Section.

~~Chapter 685 of the Acts of 2013~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013. It shall remain effective for a period of [5] 8 years and, at the end of September 30, [2018] 2021, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.