

Chapter 455

(House Bill 1636)

AN ACT concerning

**Prince George's County – School Facilities and Public Safety Surcharges –
Maryland Transit Administration Station****PG 430–17**

FOR the purpose of establishing ~~reductions from~~ a certain cap on the school facilities surcharge ~~and the public safety surcharge~~ in Prince George's County for certain residential construction that abuts an existing or planned mass transit rail station site operated by the Maryland Transit Administration ~~and from the school facilities surcharge for certain multifamily housing constructed within a certain distance of a Purple Line station under certain circumstances; establishing an exemption from the school facilities surcharge for certain dwelling units that are located within a certain distance of a Purple Line station under certain circumstances;~~ authorizing the Prince George's County Council to reduce the school facilities surcharge by a percentage not exceeding a certain percent for dwelling units in certain housing constructed within a certain distance of a Purple Line station; establishing the Prince George's County Surcharge Exemptions for Projects Near Transit Properties Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Prince George's County Council, the Prince George's County School Board, and the members of the Prince George's County delegation to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; extending the termination date of certain provisions of law that reduce the school facilities surcharge for certain multifamily housing and exempt certain dwelling units from the school facilities surcharge; and generally relating to the applicability and amount of the school facilities surcharge and the public safety surcharge in Prince George's County.

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

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

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

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

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

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

Article 17 – Prince George's County

10-192.01.

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

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

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

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

(iii) Seven Thousand Dollars (\$7,000) if the building is included within 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.**

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

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

(A) Within an approved transit district overlay zone;

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

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

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

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

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

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

(3) THE COUNTY COUNCIL MAY REDUCE THE SCHOOL FACILITIES SURCHARGE BY A PERCENTAGE NOT EXCEEDING 50% FOR DWELLING UNITS IN MULTIFAMILY HOUSING CONSTRUCTED WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A PURPLE LINE STATION.

~~10-192.11.~~

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

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

~~(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:

(a) There is a Prince George's County Surcharge Exemptions for Projects Near Transit Properties Workgroup.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) one member of the Prince George's County Council, appointed by the Chair of the County Council;

(4) one member of the Prince George's County School Board, appointed by the Chair of the School Board;

(5) one representative of the Prince George's County Office of the County Executive, appointed by the County Executive;

(6) one member of the public, appointed by the President of the Senate;

(7) one member of the public, appointed by the Speaker of the House of Delegates;

(8) one member of the public, appointed by the Chair of the Prince George's County School Board; and

(9) one member of the public, appointed by the Chair of the Prince George's County Council.

(c) The members of the Workgroup shall select the chair of the Workgroup.

(d) The Maryland–National Capital Park and Planning Commission shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) gather data related to persons who have benefited from:

(i) reductions in or exemptions from the school facilities surcharge under § 10–192.01(b–1) of the Public Local Laws of Prince George's County; or

(ii) a waiver of the public safety surcharge under § 10–192.11(b)(3) of the Public Local Laws of Prince George's County;

(2) study the potential development and fiscal impact of:

(i) retaining existing exemptions from the school facilities surcharge or the public safety surcharge for transit–related development; and

(ii) expanding exemptions from the school facilities surcharge or the public safety surcharge to development related to Purple Line stations or MARC stations;

(3) evaluate the potential value and cost of increasing, decreasing, or otherwise changing the amount and the availability of school facilities surcharge exemptions and public safety surcharge exemptions for transit-related development; and

(4) make any necessary recommendations regarding the findings of the Workgroup.

(g) On or before December 31, 2017, the Workgroup shall report its findings and recommendations to the Prince George's County Council, the Prince George's County School Board, and, in accordance with § 2-1246 of the State Government Article, the members of the Prince George's County delegation to the General Assembly.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2017. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 4, 2017.