

SENATE BILL 1249

L2

8lr4000
CF 8lr3999

By: **Senator Rosapepe**

Introduced and read first time: March 5, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of providing for a certain reduction in the school facilities surcharge in
5 Prince George's County for certain residential housing that is constructed within a
6 certain distance of a MARC station or a Purple Line station; providing for an
7 exemption from the school facilities surcharge for certain dwelling units that are
8 constructed within a certain distance of a MARC station or a Purple Line station;
9 setting the amount of the public safety surcharge in Prince George's County for
10 certain residential housing constructed in an area included in a certain plan that
11 abuts an existing or planned mass transit rail station operated by the Maryland
12 Transit Administration under certain circumstances; extending the termination date
13 of certain provisions of law that reduce the school facilities surcharge for certain
14 multifamily housing and exempt certain dwelling units from the school facilities
15 surcharge; requiring Prince George's County to study and make recommendations
16 concerning the school facilities surcharge and the public safety surcharge and report
17 to certain persons on or before a certain date; correcting a certain outdated term;
18 providing for the termination of this Act; and generally relating to the school
19 facilities surcharge and the public safety surcharge in Prince George's County.

20 BY repealing and reenacting, without amendments,
21 The Public Local Laws of Prince George's County
22 Section 10–192.01(a)(1) and 10–192.11(a)
23 Article 17 – Public Local Laws of Maryland
24 (2011 Edition, as amended)

25 BY repealing and reenacting, without amendments,
26 The Public Local Laws of Prince George's County
27 Section 10–192.01(b)(1)
28 Article 17 – Public Local Laws of Maryland
29 (2011 Edition, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (As enacted by Chapter 455 of the Acts of the General Assembly of 2017)
2 BY repealing and reenacting, with amendments,
3 The Public Local Laws of Prince George's County
4 Section 10–192.01(b–1)
5 Article 17 – Public Local Laws of Maryland
6 (2011 Edition, as amended)
7 (As enacted by Chapter 685 of the Acts of the General Assembly of 2013, as amended
8 by Chapter 455 of the Acts of the General Assembly of 2017)

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

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

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

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

21 10–192.01.

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

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

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

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

32 (iii) Seven Thousand Dollars (\$7,000) if the building is
33 included within a Basic Plan or Conceptual Site Plan that abuts an existing or planned
34 mass transit rail station site operated by the Washington Metropolitan Area Transit
35 Authority or by the Maryland Transit Administration.

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

6 (b-1) (1) The school facilities surcharge under this section shall be reduced by
7 50% for multifamily housing constructed:

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

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

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

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

18 (A) Within the county urban centers and corridors, as defined in §
19 27A-106 of the County Code;

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

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

23 (3) The County Council may reduce the school facilities surcharge by a
24 percentage not exceeding 50% for dwelling units in multifamily housing constructed where
25 there is no approved transit district overlay zone, within one-quarter mile of a Purple Line
26 station **OR A MARC STATION.**

27 10-192.11.

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

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

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

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

(i) The **[Developed Tier] TRANSPORTATION SERVICE AREA 1**, 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 Prince George’s County shall:

(1) review and make recommendations on the impact of the school facilities surcharge and the public safety surcharge and the need for any changes to the surcharges; and

(2) on or before December 1, 2019, report its findings 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, in accordance with § 2–1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018. It shall remain effective for a period of 3 years and 6 months and, at the end of December 31, 2021, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.