

Chapter 751

**(Senate Bill 480)**

AN ACT concerning

**Baltimore City – South Baltimore Gateway Community Impact District  
Management Authority – Distribution of Local Impact Grants**

FOR the purpose of specifying that the State distribute certain funding directly to the South Baltimore Gateway Community Impact District Management Authority; providing, under certain circumstances, that a certain percentage of local impact grants from video lottery proceeds be distributed directly to the Authority; ~~defining a certain term;~~ and generally relating to the distribution of local impact grants from video lottery proceeds in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (69)(c)(1)(i)

(2007 Replacement Volume, as amended)

(As enacted by Section 2 of Chapter 314 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–31

Annotated Code of Maryland

(2014 Replacement Volume and 2017 Supplement)

(As enacted by Chapter 446 of the Acts of the General Assembly of 2017)

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

**The Charter of Baltimore City**

Article II – General Powers

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

(69)

(c) (1) The ordinance establishing the South Baltimore Gateway Community Impact District Management Authority shall address the following:

(i) specify the powers and functions within the limits of this section, which may be exercised and conducted by the Authority and **PROVIDE THAT THE STATE** fund the Authority with not less than **THE** 50% of the local impact grants from video lottery proceeds [distributed to Baltimore City under § 9-1A-31(a)(3)(i)] **THAT § 9-1A-31(B)(3)(I) § 9-1A-31(A)(3)(I)** of the State Government Article of the Annotated Code of Maryland **REQUIRES THE STATE TO DISTRIBUTE DIRECTLY TO THE AUTHORITY;**

### Article – State Government

9-1A-31.

(a) ~~IN THIS SECTION, “LOCAL JURISDICTION” INCLUDES THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY.~~

~~(B)~~ (1) Except as provided in paragraph (8) of this subsection, the local impact grants provided under § 9-1A-27 of this subtitle shall be distributed as provided in this subsection.

(2) The following amounts shall be distributed to the following jurisdictions:

- (i) Allegany County – \$200,000;
- (ii) Cecil County – \$130,000;
- (iii) Town of Perryville – \$70,000; and
- (iv) Worcester County – \$200,000.

(3) The remaining funds for local impact grants shall be distributed in the following manner:

(i) 82% to the local jurisdictions with video lottery facilities, based on each jurisdiction’s percentage of overall gross revenues from video lottery terminals; and

(ii) except as provided in paragraph (4) of this subsection, for operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal year 2032, 18% to Baltimore City with the Pimlico Community Development Authority acting as the local development council in accordance with subsection ~~[(d)] (E)~~ of this section, to be distributed primarily for capital projects benefiting economic and community development in the following manner:

1. at least 75% in a manner that is consistent with the Park Heights Master Plan; and

2. the remainder dedicated to the needs of:

A. any census blockgroup that Baltimore City identifies as being located partly or entirely within 1 mile of Pimlico Race Course but not within the boundaries of the Park Heights Master Plan in a manner that is consistent with adopted neighborhood priorities;

B. any neighborhood included in the Northwest Community Planning Forum Strategic Neighborhood Action Plan in a manner that is consistent with the adopted Northwest Community Planning Forum Strategic Neighborhood Action Plan priorities; and

C. beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, any neighborhood within an area bounded by Liberty Heights Avenue, Northern Parkway, Druid Park Drive, and Wabash Avenue in a manner that is consistent with adopted neighborhood priorities.

(4) (i) Of the amount specified under paragraph (3)(ii) of this subsection:

1. \$1,000,000 shall be provided annually to Prince George's County to be used for public safety projects in the community within 5 miles surrounding Rosecroft Raceway; and

2. for fiscal years 2015 through 2019, \$500,000 shall be provided annually for impact aid to be distributed as provided under § 11-404(d) of the Business Regulation Article to help pay for facilities and services in communities within 3 miles of the Laurel Race Course.

(ii) The Legislative Policy Committee shall report its findings and recommendations concerning the advisability of the continuation of the distribution of funds after fiscal year 2032 to the Comptroller and, in accordance with § 2-1246 of this article, the General Assembly, on or before November 1, 2030.

(5) Anne Arundel County, Howard County, Prince George's County, and the City of Laurel shall report to the Legislative Policy Committee by December 31 of each year as to the distribution of the funds provided under this section.

(6) Baltimore City shall:

(i) **EXCEPT AS PROVIDED IN SUBSECTION ~~(C)(3)(I)~~ (B)(3)(I) OF THIS SECTION**, establish a schedule for the distribution and expenditure of funds provided under this section; and

(ii) provide a quarterly report to the Legislative Policy Committee on the distribution of the funds provided under this section.

(7) (i) The distribution under paragraph (3)(i) of this subsection to Anne Arundel County, Baltimore City, and Prince George's County equals the sum of the amounts to be distributed to Anne Arundel County, Baltimore City, and Prince George's County divided by three.

(ii) Notwithstanding subparagraph (i) of this paragraph, the amount distributed to Anne Arundel County and Baltimore City under paragraph (3)(i) of this subsection may not be less than the amount received in the fiscal year before the video lottery operation license for a video lottery facility in Prince George's County was issued.

(8) Beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, 100% of the local impact grants provided under § 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in Allegany, Cecil, and Worcester counties shall be distributed to the local jurisdictions in which those video lottery facilities are located.

~~[(b)]~~ ~~(C)~~ (1) Except as otherwise provided in paragraphs (2) and (3) of this subsection and subject to paragraph (4) of this subsection, local impact grants provided under subsection ~~[(a)(3)(i)]~~ ~~(B)(3)(I)~~ of this section shall be used for improvements primarily in the communities in immediate proximity to the video lottery facilities and may be used for the following purposes:

- (i) infrastructure improvements;
- (ii) facilities;
- (iii) public safety;
- (iv) sanitation;
- (v) economic and community development, including housing; and
- (vi) other public services and improvements.

(2) (i) Subject to subparagraph (ii) of this paragraph, in Allegany County, local impact grants provided under subsection ~~[(a)(3)(i)]~~ ~~(B)(3)(I)~~ of this section may be used:

1. for purposes listed in paragraph (1) of this subsection throughout the county; and

2. to pay down the debt incurred by the county in the construction and related costs for the golf course, lodge, and other improvements in Rocky Gap State Park.

(ii) At least 20% of the local impact grants provided under subsection ~~[(a)(3)(i)] (B)(3)(i)~~ of this section in Allegany County shall be used for capital projects for municipalities and nonprofit organizations in the county.

(3) In Baltimore City:

(i) beginning in fiscal year 2018, at least 50% of the local impact grants provided under subsection ~~[(a)(3)(i)] (B)(3)(i)~~ of this section shall be distributed **DIRECTLY** to the South Baltimore Gateway Community Impact District Management Authority; and

(ii) local impact grants provided under subsection ~~[(a)(3)(i)] (B)(3)(i)~~ of this section shall be used for improvements in the communities in immediate proximity to the video lottery facility and may be used for the following purposes:

1. infrastructure improvements;
2. facilities;
3. public safety;
4. sanitation;
5. economic and community development, including housing;
6. other public services and improvements.

and

(4) (i) 1. Subject to subparagraph 2 of this subparagraph, in Prince George’s County, 40% of local impact grants provided under this section shall be used to address infrastructure needs related to Maryland Route 210 in Prince George’s County.

2. The amount of local impact grants used as provided in subparagraph 1 of this subparagraph may not exceed \$15,000,000 in a fiscal year.

3. Prince George’s County may be reimbursed by the State for any money used as provided in this subparagraph.

(ii) In Prince George's County, \$125,000 of the local impact grants provided under this section shall be provided annually to be used in communities within 2.5 miles northeast of the video lottery facility in Prince George's County.

~~[(c)] (D)~~ (1) A local development council shall be established in each geographic area where a video lottery facility is located.

(2) Subject to paragraph (3) of this subsection, a local development council shall consist of the following 15 members appointed by the chief executive of the county in which the local development council is located, in consultation with the Senators and Delegates who represent the communities surrounding the facility and the respective county councils, city councils, or county commissioners:

(i) one Senator who represents the district where the facility is located or the Senator's designee;

(ii) two Delegates who represent the districts where the communities surrounding the facility are located or the Delegates' designees;

(iii) one representative of the video lottery operation licensee;

(iv) seven residents of the communities in immediate proximity to the facility; and

(v) four representatives of businesses or institutions located in immediate proximity to the facility.

(3) (i) If the video lottery facility is at a racetrack location at Laurel Park, the County Executive of Anne Arundel County, the County Executive of Prince George's County, and the County Executive of Howard County shall jointly appoint the local development council.

(ii) If the video lottery facility is at a racetrack location at the Ocean Downs Race Course:

1. the County Commissioners of Worcester County shall appoint the local development council;

2. the Senator or the Senator's designee shall serve as a member of the local development council; and

3. the Delegates or the Delegates' designees shall serve as members of the local development council.

~~[(d)] (E)~~ (1) Prior to any expenditure of local impact grant funds provided under § 9-1A-27 of this subtitle, a county or municipality shall develop, in consultation

with the local development council, a multiyear plan for the expenditure of the local impact grant funds for services and improvements consistent with subsection ~~[(b)]~~ ~~(c)~~ of this section.

(2) A county or municipality shall submit the plan to the local development council for review and comment before adopting the plan or expending any grant funds.

(3) The local development council shall advise the county or municipality on the impact of the facility on the communities and the needs and priorities of the communities in immediate proximity to the facility.

(4) (i) A local development council shall have 45 days to review, comment, and make recommendations on the plan required under this subsection.

(ii) Except as provided in subparagraph (iii) of this paragraph, on the request of a local development council, the county or municipality shall hold a public hearing on the plan.

(iii) Baltimore City shall hold a public hearing on the plan for the expenditure of funds allocated under subsection ~~[(a)(3)(ii)]~~ ~~(B)(3)(ii)~~ of this section.

(5) A county or municipality shall make best efforts to accommodate the recommendations of the local development council and any testimony presented at the hearing before adopting the plan required under this subsection.

~~[(e)]~~ ~~(F)~~ A video lottery operation licensee shall provide to the local development council a master plan for the development of the site on which the video lottery facility will be located.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2018.

**Approved by the Governor, May 15, 2018.**