

HB0225/929937/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 225

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Surcharge” and substitute “and Public Safety Surcharges”; strike beginning with “Exemptions –” in line 2 down through “Housing” in line 3 and substitute “Maryland Transit Administration Station”; strike beginning with “altering” in line 5 down through the semicolon in line 11 and substitute “adding an exemption from the Prince George’s County school facilities surcharge for certain student housing designated by Bowie State University and the governing body of Prince George’s County; authorizing the governing body of Prince George’s County, by resolution, to exempt some or all of the school facilities surcharge under certain circumstances; authorizing the governing body of Prince George’s County, by resolution, to impose a school facilities surcharge on new residential construction for which a building permit is issued on or before a certain date and a public safety surcharge on certain new residential construction for which a building permit has been issued by the county; providing that the school facilities surcharge applies to certain multi-family housing; setting the amount of the public safety surcharge in Prince George’s County for certain residential housing constructed in an area included in a certain plan that abuts an existing or planned mass transit rail station operated by the Maryland Transit Administration under certain circumstances; requiring Prince George’s County to study and make recommendations concerning the school facilities surcharge and the public safety surcharge and report to certain persons on or before a certain date; providing for a certain reduction in the school facilities surcharge in Prince George’s County for certain residential housing that is constructed within a certain distance of a MARC station; providing for an exemption from the school facilities surcharge for certain dwelling units that are constructed within the Regional Transit Districts and Local Centers as defined in the approved Prince George’s County General Plan or within a certain distance of a MARC station; providing for the termination of certain provisions”

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of this Act; repealing obsolete provisions;”; in line 13, strike “without” and substitute “with”; in line 15, after “10–192.01(a)(1)” insert “and 10–192.11(a)”; and strike in their entirety lines 18 through 22, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; in line 6, after “repealing” insert “and reenacting, with amendments,”; in line 8, strike “10–192.01(b)(4)” and substitute “10–192.01(b)(4)(A)”; and strike in their entirety lines 13 through 18, inclusive, and substitute:

“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

(2015 Edition, as amended)

(As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

BY adding to

The Public Local Laws of Prince George’s County

Section 10–192.01(b)(4)(D) and (b–1)

Article 17 – Public Local Laws of Maryland

(2015 Edition, as amended)”.

AMENDMENT NO. 2

On page 2, in line 23, strike “County Council” and substitute “**GOVERNING BODY OF PRINCE GEORGE’S COUNTY**”; and in the same line, strike “ordinance” and substitute “**RESOLUTION**”.

On pages 2 and 3, strike beginning with “(2)” in line 26 on page 2 down through the period in line 6 on page 3.

On page 3, in line 8, strike “designated” and substitute “:”

(I) DESIGNATED”;

in line 12, after “Maryland” insert “;

(II) DESIGNATED AS STUDENT HOUSING BY BOWIE STATE UNIVERSITY AND THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY THAT IS LOCATED WITHIN 1 MILE OF BOWIE STATE UNIVERSITY.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 7 on page 4, inclusive, and substitute:

“(D) TO PROMOTE THE GOALS OF THE UNIVERSITY DISTRICT VISION 2020, AS THAT VISION OR PLAN MAY BE AMENDED FROM TIME TO TIME, ON RECOMMENDATION OF THE CITY OF COLLEGE PARK, THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY, BY RESOLUTION, MAY EXEMPT SOME OR ALL OF THE SCHOOL FACILITIES SURCHARGE FOR UNDERGRADUATE STUDENT HOUSING BUILT WEST OF U.S. ROUTE 1, NORTH OF KNOX ROAD, AND SOUTH OF METZEROTT ROAD.

10–192.11.

(a) The [County Council] GOVERNING BODY OF PRINCE GEORGE’S COUNTY, by [ordinance] RESOLUTION, may impose a public safety surcharge on new residential construction for which a [Preliminary Plan has been approved on or after July 1, 2005] BUILDING PERMIT IS ISSUED BY THE COUNTY.

(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:

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(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.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 17 – Prince George’s County

10–192.01.

(B–1) (1) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION SHALL BE REDUCED BY 50% FOR MULTI–FAMILY HOUSING PROJECTS, WITH A BUILDING PERMIT ISSUED ON OR AFTER APRIL 1, 2019, CONSTRUCTED:

(A) WITHIN AN APPROVED TRANSIT DISTRICT OVERLAY ZONE; OR

(B) WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A METRO STATION OR A MARC STATION.

(2) THE SCHOOL FACILITIES SURCHARGE UNDER THIS SECTION DOES NOT APPLY TO A DWELLING UNIT THAT IS A STUDIO APARTMENT OR AN EFFICIENCY APARTMENT IF THE DWELLING UNIT IS LOCATED:

(A) WITHIN THE REGIONAL TRANSIT DISTRICTS AND LOCAL CENTERS (GROWTH POLICY AREAS), AS DEFINED IN THE APPROVED PRINCE GEORGE'S COUNTY GENERAL PLAN (PLAN 2035), INCLUDING IN THE AREA OF THE APPROVED 2010 CENTRAL US 1 CORRIDOR APPROVED SECTOR PLAN AND SECTIONAL MAP AMENDMENT;

(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 MARC STATION.

(3) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY REDUCE THE SCHOOL FACILITIES SURCHARGE BY A PERCENTAGE NOT EXCEEDING 50% FOR DWELLING UNITS IN MULTI-FAMILY HOUSING

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CONSTRUCTED WHERE THERE IS NO APPROVED TRANSIT DISTRICT OVERLAY ZONE, WITHIN ONE-QUARTER MILE OF A PURPLE LINE STATION.

SECTION 3. 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, including whether changes to the school facilities surcharge and the public safety surcharge might have a positive impact on the ability to construct and maintain affordable housing; and

(2) on or before December 1, 2020, report its findings 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."

On page 4, in line 8, strike "2." and substitute "4."; and in line 9, after the period insert "Sections 2 and 3 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2021, Sections 2 and 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".