

HOUSE BILL 225

L2

9lr0595

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

Introduced and read first time: January 23, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2019

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – School Facilities Surcharge – Exemptions –**
3 **Transit Oriented Development – Workforce Housing**

4 **PG 415–19**

5 FOR the purpose of altering the exemptions from the Prince George's County school
6 facilities surcharge to include mixed retirement development or elderly housing;
7 ~~single family attached dwelling units located in a certain Transforming~~
8 ~~Neighborhood Initiative area,~~ and certain multi-family housing located within a
9 certain distance of a Metro Station or a Purple Line station; repealing certain
10 exemptions related to certain single-family dwelling units and certain multi-family
11 housing; and generally relating to the school facilities surcharge in Prince George's
12 County.

13 BY repealing and reenacting, without amendments,
14 The Public Local Laws of Prince George's County
15 Section 10–192.01(a)(1)
16 Article 17 – Public Local Laws of Maryland
17 (2015 Edition, as amended)

18 BY repealing and reenacting, with amendments,
19 The Public Local Laws of Prince George's County
20 Section 10–192.01(b)(2)
21 Article 17 – Public Local Laws of Maryland
22 (2015 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

2 The Public Local Laws of Prince George's County
3 Section 10–192.01(b)(3) and (5)
4 Article 17 – Public Local Laws of Maryland
5 (2015 Edition, as amended)

6 BY repealing

7 The Public Local Laws of Prince George's County
8 Section 10–192.01(b)(4)
9 Article 17 – Public Local Laws of Maryland
10 (2015 Edition, as amended)
11 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014 and Chapter
12 733 of the Acts of the General Assembly of 2016)

13 BY repealing

14 The Public Local Laws of Prince George's County
15 Section 10–192.01(b)(6)
16 Article 17 – Public Local Laws of Maryland
17 (2015 Edition, as amended)
18 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014)

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

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

22 10–192.01.

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

26 (b) (2) The school facilities surcharge does not apply to [a]:

27 (A) A mixed retirement development or elderly housing; OR

28 (B) ~~A SINGLE FAMILY ATTACHED DWELLING UNIT IF THE~~
29 ~~SINGLE FAMILY DWELLING UNIT IS LOCATED IN A TRANSFORMING NEIGHBORHOOD~~
30 ~~INITIATIVE (TNI) AREA; OR~~

31 ~~(C)~~ MULTI-FAMILY HOUSING THAT IS LOCATED WITHIN
32 ONE-QUARTER MILE OF A METRO STATION OR A PURPLE LINE STATION IF THE
33 MULTI-FAMILY HOUSING IS CONSTRUCTED UNDER A GOVERNMENT REGULATION OR
34 BINDING AGREEMENT THAT DESIGNATES AT LEAST 25% OF THE DWELLING UNITS
35 FOR AT LEAST 30 YEARS AS AFFORDABLE HOUSING FOR RESIDENTS WHOSE INCOME

1 **DOES NOT EXCEED 80% OF THE AREA MEDIAN INCOME FOR PRINCE GEORGE'S**
2 **COUNTY ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN**
3 **DEVELOPMENT.**

4 [(3) The school facilities surcharge does not apply to a single-family
5 detached dwelling that is to be built or subcontracted by an individual owner in a minor
6 subdivision and that is intended to be used as the owner's personal residence.

7 (4) (A) The school facilities surcharge does not apply to multi-family
8 housing designated as student housing that is located in the area within the campus of
9 Capitol Technology University located adjacent to and east of Springfield Road in Parcels
10 1 and 2 in the subdivision of land known as "Parcels 1 and 2, Capitol Institute of
11 Technology", as per plat recorded in Plat Book NLP 115 at Plat 31 among the Land Records
12 of Prince George's County, Maryland.

13 (B) (i) Subject to subsubparagraph (ii) of this subparagraph, the
14 school facilities surcharge does not apply to multi-family housing that is located in the City
15 of College Park and designated as graduate student housing by the City of College Park.

16 (ii) The County Council may, by Resolution, reverse a
17 designation by the City of College Park of multi-family housing as graduate student
18 housing within 60 days of the designation.

19 (C) If the housing is converted from student housing or graduate
20 student housing to multi-family housing for the general population, the owner of the
21 property shall pay, at the time of the conversion, the school facilities surcharge in
22 accordance with the laws at the time of the conversion.

23 (5) The school facilities surcharge does not apply to a single-family
24 dwelling unit that is to be built or subcontracted by an individual owner to replace on the
25 same lot a previously existing single-family dwelling unit that was destroyed by fire,
26 explosion, or a natural disaster if the single-family dwelling unit is:

27 (A) Similar to the previously existing single-family dwelling unit;
28 and

29 (B) Owned and occupied by the same individual who owned and
30 occupied the previously existing single-family dwelling unit.

31 (6) The school facilities surcharge does not apply to a single-family
32 attached dwelling unit if the single-family dwelling unit is:

33 (A) Located in a residential revitalization project;

34 (B) Located in the Developed Tier as defined in the Prince George's
35 County General Plan;

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1 (C) Located in a Transforming Neighborhood Initiative (TNI) area;

2 (D) Located on the same property as previously existing
3 multi-family dwelling units;

4 (E) Developed at a lower density than the previously existing
5 multi-family dwelling units;

6 (F) Offered for sale only on a fee simple basis; and

7 (G) Located on a property that is less than 6 acres in size.]

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.