

SENATE BILL 536

M3, L2

1lr2428

By: **Senator King**

Introduced and read first time: January 26, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Stormwater Charges – Organizations Offering**
3 **Agricultural Exhibitions**

4 FOR the purpose of exempting certain organizations that offer agricultural exhibitions
5 from a certain stormwater charge established by Montgomery County; and generally
6 relating to stormwater charges.

7 BY repealing and reenacting, without amendments,
8 Article – Environment
9 Section 4–204(e)(1) and (5)
10 Annotated Code of Maryland
11 (2013 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Environment
14 Section 4–204(e)(2)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2020 Supplement)

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

19 **Article – Environment**

20 4–204.

21 (e) (1) This subsection applies to a system of charges established by
22 Montgomery County under subsection (d) of this section.

23 (2) Except as provided in paragraph (5) of this subsection, the county may

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 not impose the charge established under this section on [a]:

2 (I) A veterans' organization that is exempt from taxation under §
3 501(c)(4) or (19) of the Internal Revenue Code[, a];

4 (II) A regularly organized volunteer fire department that is used for
5 public purposes[, or on roads];

6 (III) **ROADS**, not including parking areas, that are owned by a
7 homeowners association that is exempt from taxation under § 501(c)(4) of the Internal
8 Revenue Code if the roads qualify for a State or county roadway maintenance
9 reimbursement fund; **OR**

10 (IV) **AN ORGANIZATION THAT OFFERS AGRICULTURAL**
11 **EXHIBITIONS AND IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL**
12 **REVENUE CODE.**

13 (5) The county may impose the charge established under this section on
14 property owned by a veterans' organization that is exempt from taxation under § 501(c)(4)
15 or (19) of the Internal Revenue Code or a regularly organized volunteer fire department if:

16 (i) The county determines that the creation of a nondiscriminatory
17 program for applying the charge to federal properties under the federal facilities pollution
18 control section of the Clean Water Act is necessary in order for the county to receive federal
19 funding for stormwater remediation; and

20 (ii) A veterans' organization that is exempt from taxation under §
21 501(c)(4) or (19) of the Internal Revenue Code and a regularly organized volunteer fire
22 department that is used for public purposes are provided with the opportunity to apply for
23 an alternate compliance plan established under § 4-202.1(k)(3) of this subtitle instead of
24 paying a charge imposed by the county under item (i) of this paragraph.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2021.