

# SENATE BILL 685

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By: **Senator Ellis**

Introduced and read first time: February 4, 2022

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Maryland Stadium Authority – Charles County**  
3 **Multicultural Recreational and Amphitheatre Facilities**

4 FOR the purpose of authorizing the Maryland Stadium Authority to review certain matters  
5 and make certain recommendations relating to the Charles County Multicultural  
6 Recreational and Amphitheatre Facilities; authorizing the Authority to acquire and  
7 finance by certain means a Charles County Multicultural Recreational and  
8 Amphitheatre Facilities site or an interest in the site; establishing the Charles  
9 County Multicultural Recreational and Amphitheatre Facilities Fund as a  
10 continuing, nonlapsing fund; and generally relating to financing and construction of  
11 the Charles County Multicultural Recreational and Amphitheatre Facilities.

12 BY renumbering

13 Article – Economic Development  
14 Section 10–601(p) through (eee), respectively  
15 to be Section 10–601(s) through (hhh), respectively  
16 Annotated Code of Maryland  
17 (2018 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Economic Development  
20 Section 10–601(a) and (b), 10–618(a), 10–620(a)(1), and 10–628(a)  
21 Annotated Code of Maryland  
22 (2018 Replacement Volume and 2021 Supplement)

23 BY adding to

24 Article – Economic Development  
25 Section 10–601(p) through (r), 10–646.3, and 10–657.5  
26 Annotated Code of Maryland  
27 (2018 Replacement Volume and 2021 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 BY repealing and reenacting, with amendments,  
2 Article – Economic Development  
3 Section 10–601(v)  
4 Annotated Code of Maryland  
5 (2018 Replacement Volume and 2021 Supplement)  
6 (As enacted by Section 1 of this Act)  
7 (As enacted by Chapters 20 and 590 of the Acts of the General Assembly of 2020)
- 8 BY repealing and reenacting, with amendments,  
9 Article – Economic Development  
10 Section 10–613(a)(14) and (b), 10–618(b), 10–620(d) and (e), 10–625(a), and 10–628(c)  
11 Annotated Code of Maryland  
12 (2018 Replacement Volume and 2021 Supplement)
- 13 BY repealing and reenacting, without amendments,  
14 Article – State Finance and Procurement  
15 Section 6–226(a)(2)(i)  
16 Annotated Code of Maryland  
17 (2021 Replacement Volume)
- 18 BY repealing and reenacting, with amendments,  
19 Article – State Finance and Procurement  
20 Section 6–226(a)(2)(ii)144. and 145.  
21 Annotated Code of Maryland  
22 (2021 Replacement Volume)
- 23 BY adding to  
24 Article – State Finance and Procurement  
25 Section 6–226(a)(2)(ii)146.  
26 Annotated Code of Maryland  
27 (2021 Replacement Volume)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
29 That Section(s) 10–601(p) through (eee), respectively, of Article – Economic Development  
30 of the Annotated Code of Maryland be renumbered to be Section(s) 10–601(s) through (hhh),  
31 respectively.

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

34 **Article – Economic Development**

35 10–601.

36 (a) In this subtitle the following words have the meanings indicated.

37 (b) “Authority” means the Maryland Stadium Authority.

1           **(P) (1) “CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
2 **AMPHITHEATRE FACILITIES” MEANS THE EVENTS FACILITY LOCATED IN CHARLES**  
3 **COUNTY, MARYLAND, USED FOR COMMUNITY EVENTS, RECREATIONAL EVENTS,**  
4 **AND OTHER RELATED ACTIVITIES.**

5           **(2) “CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
6 **AMPHITHEATRE FACILITIES” INCLUDES:**

7                   **(I) FIELDS AND AMPHITHEATERS;**

8                   **(II) OFFICES;**

9                   **(III) PARKING LOTS AND GARAGES;**

10                  **(IV) ACCESS ROADS;**

11                  **(V) FOOD SERVICE FACILITIES; AND**

12                  **(VI) OTHER FUNCTIONALLY RELATED STRUCTURES AND**  
13 **IMPROVEMENTS.**

14           **(Q) “CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
15 **AMPHITHEATRE FACILITIES FUND” MEANS THE CHARLES COUNTY**  
16 **MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES FUND**  
17 **ESTABLISHED UNDER § 10-657.5 OF THIS SUBTITLE.**

18           **(R) “CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
19 **AMPHITHEATRE FACILITIES SITE” MEANS THE SITE OF THE CHARLES COUNTY**  
20 **MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES IN CHARLES**  
21 **COUNTY, MARYLAND.**

22           **(v) “Facility” means:**

23                   (1) a structure or other improvement developed at Camden Yards;

24                   (2) a convention facility;

25                   (3) the Hippodrome Performing Arts facility;

26                   (4) a sports facility;

27                   (5) a Baltimore City public school facility;

1 (6) a racing facility;

2 (7) a public school facility; [or]

3 (8) the Hagerstown Multi-Use Sports and Events Facility; **OR**

4 (9) **THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
5 **AMPHITHEATRE FACILITY.**

6 10-613.

7 (a) The Authority may:

8 (14) with respect to site acquisition, construction, and development of the  
9 Hippodrome Performing Arts facility [and], the Hagerstown Multi-Use Sports and Events  
10 Facility, **AND THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND**  
11 **AMPHITHEATRE FACILITIES**, establish and participate in Authority affiliates;

12 (b) The Authority may review and make recommendations on proposed  
13 convention center facilities, the Hippodrome Performing Arts facility, [and] the  
14 Hagerstown Multi-Use Sports and Events Facility, **AND THE CHARLES COUNTY**  
15 **MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES**, including the  
16 expansion and enhancement of the Baltimore City Convention Center and the Ocean City  
17 Convention Center and the development and construction of the Montgomery County  
18 Conference Center, the Hippodrome Performing Arts Center, [and] the Hagerstown  
19 Multi-Use Sports and Events Facility, **AND THE CHARLES COUNTY MULTICULTURAL**  
20 **RECREATIONAL AND AMPHITHEATRE FACILITIES**, with respect to location, purpose,  
21 design, function, capacity, parking, costs, funding mechanisms, and revenue alternatives,  
22 with specific recommendations on:

23 (1) the level of support from the private sector;

24 (2) the type of support from the private sector;

25 (3) special taxing sources;

26 (4) projected revenues;

27 (5) bonding authority and the source of debt service; and

28 (6) the fiscal impact on the State of any revenue alternatives.

29 10-618.

30 (a) (1) Except as provided in paragraph (2) of this subsection, contracts to  
31 acquire any facility site, to construct the facility, or for construction on the facility site

1 require the prior approval of the Board of Public Works.

2 (2) Contracts to construct a public school facility or for construction on a  
3 public school site do not require the prior approval of the Board of Public Works.

4 (b) The Authority may:

5 (1) acquire by any of the means specified in § 10–620(a) of this subtitle:

6 (i) a site at Camden Yards for a facility;

7 (ii) a Baltimore Convention site or an interest in the site;

8 (iii) an Ocean City Convention site or an interest in the site;

9 (iv) a Montgomery County Conference site or an interest in the site;

10 (v) a Hippodrome Performing Arts site or an interest in the site;

11 [and]

12 (vi) a Hagerstown Multi–Use Sports and Events Facility site or an  
13 interest in the site; and

14 (VII) **A CHARLES COUNTY MULTICULTURAL RECREATIONAL**  
15 **AND AMPHITHEATRE FACILITIES SITE OR AN INTEREST IN THE SITE; AND**

16 (2) construct or enter into a contract to construct a facility on a site it  
17 acquires under this subsection.

18 10–620.

19 (a) (1) Subject to annual appropriations and this subtitle, the Authority may  
20 acquire in its own name, by gift, purchase, or condemnation, any property or interest in  
21 property necessary or convenient to construct, improve, or operate a facility.

22 (d) (1) The exercise of authority under this subsection is subject to the prior  
23 approval of the Board of Public Works.

24 (2) On request of the Authority, the State, a unit of the State, or a political  
25 subdivision may lease, lend, grant, or otherwise convey to the Authority, property,  
26 including property devoted to public use, as necessary or convenient for the purposes of this  
27 subtitle.

28 (3) The State may lease or sublease a facility, or an interest in a facility,  
29 from or to the Authority, whether or not constructed or usable.

30 (4) Lease payments to the Authority appropriated by the State shall be

1 transferred to:

2 (i) the Baltimore Convention Fund if appropriated for a Baltimore  
3 Convention facility;

4 (ii) the Camden Yards Fund if appropriated for a sports facility or  
5 other facility at Camden Yards;

6 (iii) the Hippodrome Performing Arts Fund if appropriated for a  
7 Hippodrome Performing Arts facility;

8 (iv) the Montgomery County Conference Fund if appropriated for a  
9 Montgomery County Conference facility;

10 (v) the Ocean City Convention Fund if appropriated for an Ocean  
11 City Convention facility; [or]

12 (vi) the Hagerstown Multi-Use Sports and Events Facility Fund if  
13 appropriated for a Hagerstown Multi-Use Sports and Events Facility; **OR**

14 **(VII) THE CHARLES COUNTY MULTICULTURAL RECREATIONAL**  
15 **AND AMPHITHEATRE FACILITIES.**

16 (e) (1) This subsection does not apply to the Camden Yards site, Baltimore  
17 Convention site, Ocean City Convention site, Hippodrome Performing Arts site, any  
18 Baltimore City public school site, any racing facility, the Hagerstown Multi-Use Sports and  
19 Events Facility site, any supplemental facility site, **THE CHARLES COUNTY**  
20 **MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES**, or any public  
21 school site.

22 (2) The Authority and any Authority affiliate are subject to applicable  
23 planning, zoning, and development regulations to the same extent as a private commercial  
24 or industrial enterprise.

25 10-625.

26 (a) Except as provided in subsection (b) of this section, the Authority shall submit:

27 (1) an annual detailed report of the activities and financial status of the  
28 Authority to the Governor, and, in accordance with § 2-1257 of the State Government  
29 Article, the General Assembly; and

30 (2) annual reports on the additional tax revenues generated by each of the  
31 following facilities, prepared in cooperation with the Office of the Comptroller and the  
32 Department of Budget and Management:

- 1 (i) the Baltimore Convention facility;
- 2 (ii) the Hippodrome Performing Arts facility;
- 3 (iii) the Montgomery County Conference facility;
- 4 (iv) the Ocean City Convention facility; [and]
- 5 (v) the Hagerstown Multi-Use Sports and Events Facility; AND

6 (VI) THE CHARLES COUNTY MULTICULTURAL RECREATIONAL  
7 AND AMPHITHEATRE FACILITIES.

8 10-628.

9 (a) Except as provided in subsections (b) and (c) of this section and subject to the  
10 prior approval of the Board of Public Works, the Authority may issue bonds at any time for  
11 any corporate purpose of the Authority, including the establishment of reserves and the  
12 payment of interest.

13 (c) (1) Unless authorized by the General Assembly, the Board of Public Works  
14 may not approve an issuance by the Authority of bonds, whether taxable or tax exempt,  
15 that constitute tax supported debt or nontax supported debt if, after issuance, there would  
16 be outstanding and unpaid more than the following face amounts of the bonds for the  
17 purpose of financing acquisition, construction, renovation, and related expenses for  
18 construction management, professional fees, and contingencies in connection with:

- 19 (i) the Baltimore Convention facility – \$55,000,000;
- 20 (ii) the Hippodrome Performing Arts facility – \$20,250,000;
- 21 (iii) the Montgomery County Conference facility – \$23,185,000;
- 22 (iv) the Ocean City Convention facility – \$24,500,000;
- 23 (v) Baltimore City public school facilities – \$1,100,000,000;
- 24 (vi) supplemental facilities – \$25,000,000;
- 25 (vii) racing facilities – \$375,000,000;
- 26 (viii) public school facilities in the State – \$2,200,000,000; [and]
- 27 (ix) the Hagerstown Multi-Use Sports and Events  
28 Facility – \$59,500,000; AND

**(X) THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES – \$45,000,000.**

(2) (i) The limitation under paragraph (1)(i) of this subsection applies to the aggregate principal amount of bonds outstanding as of June 30 of any year.

(ii) Refunded bonds may not be included in the determination of an outstanding aggregate amount under this paragraph.

**10-646.3.**

**(A) EXCEPT AS AUTHORIZED BY § 10-639 OF THIS SUBTITLE, TO FINANCE SITE ACQUISITION, DESIGN, AND CONSTRUCTION OF ANY SEGMENT OF THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES, THE AUTHORITY SHALL COMPLY WITH THIS SECTION.**

**(B) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF PUBLIC WORKS FOR EACH BOND ISSUE OR OTHER BORROWING, THE AUTHORITY SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A COMPREHENSIVE FINANCING PLAN FOR THE RELEVANT SEGMENT OF THE FACILITY.**

**(C) THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE PROPOSED BOND ISSUE AND THE FINANCING PLAN.**

**10-657.5.**

**(A) IN THIS SECTION, “FUND” MEANS THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES FUND.**

**(B) THERE IS A CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES FUND.**

**(C) THE PURPOSE OF THE FUND IS TO ENABLE THE AUTHORITY TO:**

**(1) USE THE FUND AS A REVOLVING FUND FOR IMPLEMENTING THIS SUBTITLE AS IT RELATES TO THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES; AND**

**(2) PAY ANY EXPENSES INCURRED BY THE AUTHORITY THAT ARE RELATED TO THE CHARLES COUNTY MULTICULTURAL RECREATIONAL AND AMPHITHEATRE FACILITIES.**

**(D) THE AUTHORITY SHALL ADMINISTER THE FUND.**



1           **(E) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT**  
2 **SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND**  
3 **PROCUREMENT ARTICLE.**

4           **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**  
5 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

6           **(F) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY,**  
7 **THE RECEIPTS OF THE FUND SHALL BE PLEDGED TO AND CHARGED WITH THE**  
8 **FOLLOWING RELATING TO THE CHARLES COUNTY MULTICULTURAL**  
9 **RECREATIONAL AND AMPHITHEATRE FACILITIES:**

10                   **(I) PAYMENT OF DEBT SERVICE ON AUTHORITY BONDS;**

11                   **(II) ALL REASONABLE CHARGES AND EXPENSES RELATED TO**  
12 **THE AUTHORITY'S BORROWING; AND**

13                   **(III) THE MANAGEMENT OF AUTHORITY OBLIGATIONS.**

14           **(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10-634 OF**  
15 **THIS SUBTITLE.**

16           **(G) THE FUND CONSISTS OF:**

17                   **(1) MONEY APPROPRIATED FOR DEPOSIT IN THE FUND;**

18                   **(2) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER**  
19 **THIS SUBTITLE CONCERNING THE CHARLES COUNTY MULTICULTURAL**  
20 **RECREATIONAL AND AMPHITHEATRE FACILITIES; AND**

21                   **(3) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC OR**  
22 **PRIVATE SOURCE FOR THE PURPOSES ESTABLISHED FOR THE FUND.**

23           **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
24 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

25                   **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE PAID INTO THE**  
26 **FUND.**

27                   **Article – State Finance and Procurement**

28           6-226.

1 (a) (2) (i) Notwithstanding any other provision of law, and unless  
2 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
3 terms of a gift or settlement agreement, net interest on all State money allocated by the  
4 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
5 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
6 Fund of the State.

7 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
8 to the following funds:

9 144. the Health Equity Resource Community Reserve Fund;  
10 [and]

11 145. the Access to Counsel in Evictions Special Fund; AND

12 146. THE CHARLES COUNTY MULTICULTURAL  
13 RECREATIONAL AND AMPHITHEATRE FACILITIES FUND.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2022.