

HOUSE BILL 1109

C8, L6, Q8

3lr2917

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

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2023

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Economic Development – Business Improvement**
3 **Districts**

4 **PG 407–23**

5 FOR the purpose of authorizing Prince George's County ~~or a municipal corporation in~~
6 ~~Prince George's County~~ to create certain business improvement districts; requiring
7 the county ~~or a municipal corporation in the county~~ to adopt certain local laws to
8 provide for the creation and organization of a district; providing for the imposition of
9 a certain tax in a certain manner under certain circumstances; removing Prince
10 George's County from the scope of law governing the establishment of business
11 improvement districts; and generally relating to business improvement districts and
12 district corporations in Prince George's County.

13 BY repealing and reenacting, with amendments,
14 Article – Economic Development
15 Section 12–402.1
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2022 Supplement)

18 BY adding to
19 Article – Economic Development
20 Section 12–901 through 12–912 to be under the new subtitle “Subtitle 9. Prince
21 George's County – Business Improvement Districts”
22 Annotated Code of Maryland

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.



(2018 Replacement Volume and 2022 Supplement)

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

Article – Economic Development

12–402.1.

This subtitle does not apply in Montgomery County OR PRINCE GEORGE’S
COUNTY.

SUBTITLE 9. PRINCE GEORGE’S COUNTY – BUSINESS IMPROVEMENT DISTRICTS.

12–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF A DISTRICT
CORPORATION.

(C) “COMMERCIAL TENANT” MEANS A LESSEE OR OTHER LAWFUL
OCCUPANT, OTHER THAN THE OWNER, OF NONEXEMPT PROPERTY WITHIN A
DISTRICT.

(D) “CONDOMINIUM” HAS THE MEANING STATED IN § 11–101 OF THE REAL
PROPERTY ARTICLE.

(E) “COOPERATIVE HOUSING CORPORATION” HAS THE MEANING STATED IN
§ 5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(F) “DISTRICT” MEANS A BUSINESS IMPROVEMENT DISTRICT ESTABLISHED
UNDER THIS SUBTITLE.

(G) “DISTRICT CORPORATION” MEANS A BUSINESS IMPROVEMENT
DISTRICT CORPORATION FORMED IN ACCORDANCE WITH THIS SUBTITLE.

(H) “FORMATION STEERING COMMITTEE” MEANS THE GROUP OF
STAKEHOLDERS RESPONSIBLE FOR LEADING THE FORMATION OF A DISTRICT AND
PREPARING THE APPLICATION IN ACCORDANCE WITH § 12–908 OF THIS SUBTITLE.

(I) “HOMEOWNERS ASSOCIATION” HAS THE MEANING STATED IN § 11B–101
OF THE REAL PROPERTY ARTICLE.

1 (J) "MEMBERS OF THE DISTRICT" MEANS OWNERS OF NONEXEMPT
2 PROPERTY, COMMERCIAL TENANTS, AND RESIDENTS IN THE DISTRICT.

3 (K) "NONEXEMPT PROPERTY" MEANS ALL REAL PROPERTY THAT IS NOT
4 EXEMPT FROM PAYING REAL PROPERTY TAXES EXCEPT:

5 (1) CONDOMINIUM UNITS AND COOPERATIVE HOUSING
6 CORPORATION UNITS THAT EXIST ON OR BEFORE THE DATE OF ESTABLISHMENT OF
7 A DISTRICT;

8 (2) HOMEOWNERS ASSOCIATIONS; OR

9 (3) RESIDENTIAL PROPERTY WITH FEWER THAN FOUR DWELLING
10 UNITS.

11 (L) "RESIDENT" MEANS AN INDIVIDUAL WHOSE PRIMARY RESIDENCE IS
12 WITHIN A DISTRICT, INCLUDING A RENTER OR AN OWNER OF RESIDENTIAL
13 PROPERTY, REGARDLESS OF WHETHER THE INDIVIDUAL RESIDES ON NONEXEMPT
14 PROPERTY OR EXEMPT PROPERTY.

15 12-902.

16 THE LEGISLATIVE PURPOSES OF THIS SUBTITLE ARE TO:

17 (1) PROVIDE FOR THE CREATION OF BUSINESS IMPROVEMENT
18 DISTRICTS WITHIN PRINCE GEORGE'S COUNTY; AND

19 (2) PROMOTE THE GENERAL WELFARE OF THE RESIDENTS,
20 EMPLOYERS, EMPLOYEES, PROPERTY OWNERS, COMMERCIAL TENANTS,
21 CONSUMERS, AND THE GENERAL PUBLIC WITHIN THE GEOGRAPHIC AREA OF THE
22 BUSINESS IMPROVEMENT DISTRICTS.

23 12-903.

24 THIS SUBTITLE APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

25 12-904.

26 (A) SUBJECT TO A PUBLIC HEARING UNDER § 12-909 OF THIS SUBTITLE
27 AND TO ACCOMPLISH A LEGISLATIVE PURPOSE LISTED IN § 12-902 OF THIS
28 SUBTITLE, THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION~~
29 ~~IN THE COUNTY~~ MAY ADOPT A LOCAL LAW TO CREATE A BUSINESS IMPROVEMENT
30 DISTRICT IN ACCORDANCE WITH THIS SUBTITLE.

1 **(B) SUBSECTION (A) OF THIS SECTION IS SELF-EXECUTING AND FULLY**
2 **AUTHORIZES THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~ TO**
3 **ESTABLISH A DISTRICT, NOTWITHSTANDING ANY OTHER STATUTORY OR CHARTER**
4 **PROVISION.**

5 **(C) A LOCAL LAW ADOPTED UNDER SUBSECTION (A) OF THIS SECTION**
6 **SHALL INCLUDE:**

7 **(1) THE NAME OF THE DISTRICT CORPORATION;**

8 **(2) THAT THE DISTRICT CORPORATION IS FORMED UNDER THIS**
9 **SUBTITLE;**

10 **(3) THE NAMES, ADDRESSES, AND TERMS OF OFFICE OF THE INITIAL**
11 **MEMBERS OF THE BOARD OF DIRECTORS OF THE DISTRICT CORPORATION;**

12 **(4) THE ADDRESS OF THE PRINCIPAL OFFICE OF THE DISTRICT**
13 **CORPORATION;**

14 **(5) THE PURPOSES FOR WHICH THE DISTRICT IS FORMED;**

15 **(6) THE POWERS OF THE DISTRICT, SUBJECT TO THE LIMITATIONS ON**
16 **THE POWERS OF DISTRICTS UNDER THIS SUBTITLE; AND**

17 **(7) IF APPLICABLE, ARTICLES OF INCORPORATION OF THE DISTRICT**
18 **CORPORATION.**

19 **12-905.**

20 **(A) A BOARD OF DIRECTORS SHALL GOVERN THE DISTRICT CORPORATION.**

21 **(B) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (4) OF THIS**
22 **SUBSECTION:**

23 **(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH,**
24 **THE BOARD OF A DISTRICT CORPORATION CONSISTS OF AT LEAST NINE MEMBERS;**
25 **OR**

26 **(II) THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL~~**
27 **~~CORPORATION IN THE COUNTY IN WHICH A DISTRICT IS ESTABLISHED~~ MAY**
28 **DETERMINE A DIFFERENT NUMBER OF MEMBERS FOR THE BOARD IF THE DISTRICT**
29 **IS CONNECTED WITH A BUSINESS IMPROVEMENT DISTRICT IN ANOTHER COUNTY OR**
30 **STATE OR IN THE DISTRICT OF COLUMBIA.**

1 **(2) (I) THE BOARD SHALL BE REPRESENTATIVE OF PROPERTY**
2 **OWNERS, BUSINESS OWNERS, RESIDENTS, AND REPRESENTATIVES OF THE LOCAL**
3 **JURISDICTIONS WITHIN THE BOUNDARIES OF THE BUSINESS IMPROVEMENT**
4 **DISTRICT.**

5 **(II) IT SHALL BE THE RESPONSIBILITY OF THE INITIAL BOARD**
6 **OF THE BUSINESS IMPROVEMENT DISTRICT TO DETERMINE IN THE DISTRICT'S**
7 **BYLAWS THE SPECIFIC DETAILS PERTAINING TO BOARD STRUCTURE, INCLUDING**
8 **THE SPECIFIC NUMBER OF POSITIONS, TERMS, AND VOTING PROCEDURES.**

9 **(3) THE BOARD SHALL RETAIN AS NONVOTING MEMBERS THE**
10 **MEMBER OF THE SENATE OF MARYLAND AND MEMBERS OF THE HOUSE OF**
11 **DELEGATES WHO REPRESENT THE LEGISLATIVE DISTRICT WHERE A DISTRICT**
12 **CORPORATION IS ESTABLISHED.**

13 **(4) (I) BOARD SEATS SHALL BE ELECTED IN ACCORDANCE WITH AN**
14 **ELECTION PROCESS THAT IS ESTABLISHED BY THE GOVERNING BODY OF THE**
15 **COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY WHERE THE DISTRICT IS~~**
16 **LOCATED.**

17 **(II) TO THE EXTENT PRACTICABLE, THE ELECTION PROCESS**
18 **SHALL REFLECT THE DIVERSITY OF BUSINESSES AND OTHER ORGANIZATIONS IN**
19 **THE DISTRICT.**

20 **(C) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT A CHAIR AND**
21 **OTHER OFFICERS.**

22 **(D) (1) A MAJORITY OF THE VOTING MEMBERS OF THE BOARD IS A**
23 **QUORUM.**

24 **(2) THE BOARD MAY ACT ON A RESOLUTION ONLY BY THE**
25 **AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING MEMBERS.**

26 **(E) A MEMBER OF THE BOARD:**

27 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;**
28 **BUT**

29 **(2) SHALL BE REIMBURSED FOR EXPENSES INCURRED IN**
30 **PERFORMING THE MEMBER'S DUTIES.**

31 **(F) THE BOARD SHALL EXERCISE ITS POWERS BY RESOLUTION.**

1 (G) THE BOARD SHALL FILE AN ANNUAL REPORT WITH THE GOVERNING
2 BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~ THAT
3 INCLUDES:

4 (1) A FINANCIAL STATEMENT FOR THE PRECEDING YEAR;

5 (2) A PROPOSED OPERATING BUDGET FOR THE CURRENT FISCAL
6 YEAR;

7 (3) ANY PROPOSED REVISIONS TO THE BUSINESS PLAN; AND

8 (4) A NARRATIVE STATEMENT OR CHART SHOWING THE RESULTS OF
9 OPERATIONS IN COMPARISON TO STATED GOALS AND OBJECTIVES.

10 12-906.

11 THE NET EARNINGS OF A DISTRICT CORPORATION MAY BENEFIT ONLY THE
12 DISTRICT CORPORATION.

13 12-907.

14 (A) (1) EXCEPT AS LIMITED BY ITS ARTICLES OF INCORPORATION, A
15 DISTRICT CORPORATION HAS ALL THE POWERS SET FORTH IN THIS SUBTITLE.

16 (2) A DISTRICT CORPORATION MAY:

17 (I) RECEIVE MONEY FROM ITS INCORPORATING COUNTY ~~OR~~
18 ~~MUNICIPAL CORPORATION~~, THE STATE, OTHER GOVERNMENTAL UNITS, OR
19 NONPROFIT ORGANIZATIONS;

20 (II) CHARGE FEES FOR ITS SERVICES;

21 (III) HAVE EMPLOYEES AND CONSULTANTS AS THE DISTRICT
22 CORPORATION CONSIDERS NECESSARY; AND

23 (IV) USE THE SERVICES OF OTHER GOVERNMENTAL UNITS.

24 (B) A DISTRICT CORPORATION SHALL OPERATE AND EXERCISE ITS POWERS
25 SOLELY TO ACCOMPLISH ONE OR MORE OF THE LEGISLATIVE PURPOSES OF THIS
26 SUBTITLE.

27 12-908.

1 (A) THE FORMATION STEERING COMMITTEE SEEKING TO ESTABLISH A
2 DISTRICT CORPORATION SHALL SUBMIT APPROPRIATE DOCUMENTATION AS
3 DESCRIBED IN SUBSECTION (B) OF THIS SECTION TO:

4 ~~(1) THE GOVERNING BODY OF THE COUNTY; AND~~

5 ~~(2) IF THE PROPOSED DISTRICT IS LOCATED WITHIN A MUNICIPAL~~
6 ~~CORPORATION IN THE COUNTY, THE GOVERNING BODY OF THE MUNICIPAL~~
7 ~~CORPORATION.~~

8 (B) THE APPROPRIATE DOCUMENTATION REQUIRED UNDER SUBSECTION
9 (A) OF THIS SECTION SHALL CONTAIN:

10 (1) A STATEMENT SETTING FORTH:

11 (I) THE PROPOSED NAME AND ADDRESS OF THE DISTRICT
12 CORPORATION; AND

13 (II) THE STREET ADDRESS OF EACH OWNER OF NONEXEMPT
14 PROPERTY AND TO THE EXTENT REASONABLY ASCERTAINABLE, EACH COMMERCIAL
15 TENANT WITHIN THE PROPOSED DISTRICT;

16 (2) A STATEMENT EXPRESSING THE INTENT TO ESTABLISH A
17 DISTRICT CORPORATION THAT IS SIGNED BY OWNERS OF AT LEAST 51% OF THE
18 TOTAL NUMBER OF PARCELS OF NONEXEMPT PROPERTY AND, SUBJECT TO
19 SUBSECTION (C) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF A
20 CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION WITHIN THE PROPOSED
21 DISTRICT;

22 (3) A PROPOSED 5-YEAR BUSINESS PLAN THAT CONTAINS:

23 (I) THE GOALS AND OBJECTIVES OF THE PROPOSED DISTRICT;

24 (II) THE ANNUAL PROPOSED BUSINESS IMPROVEMENT
25 DISTRICT TAX FOR THE PROPOSED DISTRICT'S COMMON OPERATIONS AND THE
26 FORMULA USED TO DETERMINE EACH MEMBER'S DISTRICT TAX; AND

27 (III) THE MAXIMUM AMOUNT AND THE NATURE OF START-UP
28 COSTS INCURRED BEFORE THE DISTRICT'S ESTABLISHMENT;

29 (4) A TAX ASSESSOR'S MAP OF THE GEOGRAPHIC AREA OF THE
30 PROPOSED DISTRICT;

1 **(5) A LIST OF THE PROPOSED INITIAL BOARD OF THE PROPOSED**
2 **DISTRICT CORPORATION;**

3 **(6) THE PROPOSED ARTICLES OF INCORPORATION AND THE BYLAWS**
4 **OF THE DISTRICT CORPORATION; AND**

5 **(7) FOR ALL NONEXEMPT PROPERTY WITHIN THE PROPOSED**
6 **DISTRICT:**

7 **(I) THE NAME AND MAILING ADDRESS OF EACH OWNER; AND**

8 **(II) THE MOST RECENT ASSESSED VALUE.**

9 **(C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE,**
10 **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR**
11 **COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED**
12 **DISTRICT MAY PETITION TO JOIN THE DISTRICT CORPORATION.**

13 **(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION**
14 **DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN**
15 **THE DISTRICT ONLY IF:**

16 **(I) THE CONDOMINIUM OR COOPERATIVE HOUSING**
17 **CORPORATION IS GOVERNED BY A BOARD;**

18 **(II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION;**
19 **AND**

20 **(III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE**
21 **BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER SUBSECTION (B)(2)**
22 **OF THIS SECTION.**

23 **(3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION**
24 **(B)(2) OF THIS SECTION:**

25 **(I) A CONDOMINIUM OR COOPERATIVE HOUSING**
26 **CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND**

27 **(II) THE DECISION REACHED BY THE BOARD SHALL**
28 **CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING**
29 **CORPORATION.**

30 **(D) WITHIN 45 DAYS AFTER RECEIVING ALL APPROPRIATE**
31 **DOCUMENTATION UNDER SUBSECTION (B) OF THIS SECTION, THE GOVERNING BODY**

1 OF THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~ SHALL SCHEDULE
2 A PUBLIC HEARING ON THE APPLICATION.

3 **12-909.**

4 (A) AT LEAST 21 CALENDAR DAYS BEFORE THE PUBLIC HEARING, THE
5 GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~
6 SHALL PUBLISH NOTICE OF THE PUBLIC HEARING IN A NEWSPAPER OF GENERAL
7 CIRCULATION WITHIN THE GEOGRAPHIC AREA OF THE PROPOSED DISTRICT.

8 (B) THE FORMATION STEERING COMMITTEE SEEKING TO ESTABLISH A
9 DISTRICT SHALL SEND NOTICE OF THE PUBLIC HEARING AND A SUMMARY OF THE
10 APPLICATION TO EACH OWNER OF NONEXEMPT PROPERTY AND TO THE EXTENT
11 REASONABLY ASCERTAINABLE, EACH COMMERCIAL TENANT OF NONEXEMPT
12 PROPERTY WITHIN THE PROPOSED DISTRICT BY THE EARLIER OF:

13 (1) AT LEAST 90 DAYS BEFORE THE PUBLIC HEARING; OR

14 (2) WHEN OWNERS OF AT LEAST 20% OF THE TOTAL NUMBER OF
15 PARCELS OF NONEXEMPT PROPERTY EXPRESS THE INTENT TO ESTABLISH A
16 DISTRICT.

17 (C) BEFORE THE PUBLIC HEARING, THE APPLICATION SHALL BE MADE
18 AVAILABLE FOR REVIEW DURING NORMAL BUSINESS HOURS IN AT LEAST ONE
19 LOCATION IN THE PROPOSED DISTRICT.

20 (D) WITHIN 10 CALENDAR DAYS AFTER THE PUBLIC HEARING, IF THE
21 GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~
22 DETERMINES, IN THE SOLE DISCRETION OF THE GOVERNING BODY, THAT THE NEEDS
23 OF THE DISTRICT MEET A PURPOSE OF THIS SUBTITLE, THE GOVERNING BODY MAY
24 AUTHORIZE THE DISTRICT IN ACCORDANCE WITH § 12-904 OF THIS SUBTITLE.

25 **12-910.**

26 (A) WITHIN 10 CALENDAR DAYS AFTER THE AUTHORIZATION OF THE
27 DISTRICT BY THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL~~
28 ~~CORPORATION IN THE COUNTY~~, THE DISTRICT CORPORATION SHALL PROVIDE THE
29 GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION IN THE COUNTY~~
30 WITH A PRELIMINARY BUSINESS IMPROVEMENT DISTRICT TAX ROLL.

31 (B) (1) THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL~~
32 ~~CORPORATION IN THE COUNTY~~ SHALL IMPOSE A BUSINESS IMPROVEMENT DISTRICT
33 TAX TO PROVIDE FUNDS FOR THE OPERATION OF THE DISTRICT.

1 **(2) THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL~~**
2 ~~**CORPORATION IN THE COUNTY**~~ SHALL IMPOSE ON MEMBERS OF THE DISTRICT WHO
3 ARE OWNERS OF NONEXEMPT PROPERTY THE DISTRICT TAX AT A RATE SPECIFIED
4 BY THE BOARD AND APPROVED BY THE GOVERNING BODY.

5 **(3) THE TAX IMPOSED UNDER THIS SUBSECTION MAY NOT COUNT**
6 ~~**AGAINST A COUNTY OR MUNICIPAL CORPORATION TAX CAP.**~~

7 **(C) THE DISTRICT TAX SHALL BE COLLECTED IN THE SAME MANNER AS**
8 **REAL PROPERTY TAXES ARE COLLECTED AND DISTRIBUTED EACH QUARTER TO THE**
9 **DISTRICT.**

10 **(D) A DISTRICT SHALL REIMBURSE THE GOVERNING BODY OF THE COUNTY**
11 ~~**OR A MUNICIPAL CORPORATION IN THE COUNTY**~~ FOR THE COSTS INCURRED IN
12 **COLLECTING THE DISTRICT TAX.**

13 **12-911.**

14 **(A) AN ESTABLISHED DISTRICT MAY EXPAND THE GEOGRAPHIC AREA OF**
15 **THE DISTRICT IF:**

16 **(1) A PETITION FOR INCLUSION IS SUBMITTED FROM OWNERS OF AT**
17 **LEAST 51% OF THE TOTAL NUMBER OF PARCELS OF NONEXEMPT PROPERTY AND,**
18 **SUBJECT TO SUBSECTION (B) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF**
19 **A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION PROPOSED FOR**
20 **INCLUSION IN THE DISTRICT;**

21 **(2) THE PETITION UNDER ITEM (1) OF THIS SUBSECTION IS ACCEPTED**
22 **BY A MAJORITY VOTE OF THE BOARD OF THE DISTRICT CORPORATION; AND**

23 **(3) THE APPROPRIATE DOCUMENTS, AS APPLICABLE, ARE**
24 **SUBMITTED UNDER § 12-908 OF THIS SUBTITLE AND A HEARING IS HELD UNDER §**
25 **12-909 OF THIS SUBTITLE.**

26 **(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE AND**
27 **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR**
28 **COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED**
29 **EXPANDED GEOGRAPHIC AREA OF THE DISTRICT MAY PETITION TO JOIN THE**
30 **EXPANSION.**

31 **(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION**
32 **DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN**
33 **THE EXPANSION ONLY IF:**

1 (I) THE CONDOMINIUM OR COOPERATIVE HOUSING
2 CORPORATION IS GOVERNED BY A BOARD;

3 (II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION;
4 AND

5 (III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE
6 BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER § 12-908 OF THIS
7 SUBTITLE.

8 (3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION
9 (A)(1) OF THIS SECTION:

10 (I) A CONDOMINIUM OR COOPERATIVE HOUSING
11 CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND

12 (II) THE DECISION REACHED BY THE BOARD SHALL
13 CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING
14 CORPORATION.

15 12-912.

16 (A) THE GOVERNING BODY OF THE COUNTY ~~OR A MUNICIPAL CORPORATION~~
17 ~~IN THE COUNTY~~ IN WHICH A DISTRICT IS ESTABLISHED UNDER THIS SUBTITLE
18 SHALL:

19 (1) REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING
20 THE DISTRICT EVERY 3 YEARS FROM THE TIME THE DISTRICT IS AUTHORIZED BY
21 LOCAL LAW UNDER § 12-904 OF THIS SUBTITLE; AND

22 (2) DEVELOP POLICIES AND PROCEDURES FOR EVALUATING THE
23 DESIRABILITY OF CONTINUING THE DISTRICT IF REQUESTED BY MEMBERS OF THE
24 DISTRICT.

25 (B) IF THE CONTINUING EXISTENCE OF THE DISTRICT IS NOT APPROVED BY
26 THE GOVERNING BODY:

27 (1) THE DISTRICT SHALL CEASE TO EXIST AS DIRECTED BY THE
28 GOVERNING BODY; AND

29 (2) THE DISTRICT CORPORATION SHALL CONTINUE ITS EXISTENCE
30 ONLY AS LONG AS NECESSARY TO TERMINATE OPERATION IN A REASONABLE
31 MANNER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.