

Chapter 473

(House Bill 453)

AN ACT concerning

Anne Arundel County – Development Impact Fees

FOR the purpose of ~~repealing~~ altering the scope of certain limitations on the authority of the Anne Arundel County Council to grant exemptions from or credits against development impact fees; and generally relating to development impact fees in Anne Arundel County.

BY repealing and reenacting, with amendments,
 The Public Local Laws of Anne Arundel County
 Section 17–11–215
 Article 2 – Public Local Laws of Maryland
 (2005 Edition and January 2024 Supplement, as amended)
 (As enacted by Chapter 509 of the Acts of the General Assembly of 2008)

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

Article 2 – Anne Arundel County

17–11–215.

(a) By ordinance enacted by the County Council, and subject to any applicable express prohibition in the Anne Arundel County Charter, the County may fix, impose, and collect development impact fees for financing, in whole or in part, the capital costs of additional or expanded public works, improvements, and facilities required to accommodate new construction or development.

(b) (1) By ordinance enacted by the County Council, the County may grant exemptions from or credits against development impact fees ~~for~~:

(I) development by not-for-profit entities that have been in existence for at least 3 years; OR

(II) A CONSTRUCTION OR DEVELOPMENT PROJECT THAT:

1. IS A MODERATELY PRICED DWELLING UNIT, AS DEFINED IN § 17–12–101;

2. IS AN ACCESSORY DWELLING UNIT, AS DEFINED IN § 18–1–101;

3. COMPLIES WITH THE REQUIREMENTS OF § 18-10-174 FOR WORKFORCE HOUSING; OR

4. A. QUALIFIES FOR IMPACT FEE CREDITS FOR ANY CONVEYANCE OF LAND OR CONSTRUCTION RECEIVED AND ACCEPTED BY THE COUNTY OR THE COUNTY BOARD OF EDUCATION FROM A DEVELOPER, INCLUDING THE CONSTRUCTION OF A CONTRACT SCHOOL BY A DEVELOPER OR A DEVELOPER'S AGENT UNDER AN AGREEMENT WITH THE STATE BOARD OF EDUCATION; AND

B. THE CONVEYANCE OR CONSTRUCTION MEETS THE SAME NEEDS AS THE DEVELOPMENT IMPACT FEE TO PROVIDE EXPANDED CAPACITY BEYOND THE REQUIREMENTS OF ARTICLE 17.

(2) The ordinance shall:

- (i) set the amount of the exemptions or credits;
- (ii) establish the conditions of eligibility for the exemptions or credits; and
- (iii) adopt procedures for applying for the exemptions or credits.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, May 13, 2025.