

COUNTY COUNCIL

OF

DORCHESTER COUNTY, MARYLAND

BILL NO. 2025-1

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND PURSUANT TO MD. CODE ANN., ALCOHOLIC BEVERAGES AND CANNABIS § 1-322 TO AMEND CHAPTER 144 (TAXATION) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSE OF ENACTING A NEW ARTICLE XXII ENTITLED "COMMUNITY REINVESTMENT AND REPAIR FUND" REGARDING THE USE OF FUNDS FROM THE STATE OF MARYLAND COMMUNITY REINVESTMENT AND REPAIR FUND; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO TAXATION IN DORCHESTER COUNTY, MARYLAND.

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-206(a)(2), the County Council of Dorchester County, Maryland (the "County Council") is authorized and empowered to pass any ordinance, resolution, or bylaw not inconsistent with State law that may aid in maintaining the peace, good government, health, and welfare of Dorchester County, Maryland (the "County"); and

WHEREAS, pursuant to Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322, on or before July 31 each year, the Comptroller of Maryland shall distribute funds from the State of Maryland Community Reinvestment and Repair Fund (the "Fund") to each county in an amount that, for the period from July 1, 2002, to January 1, 2023, both inclusive, is proportionate to the total number of cannabis possession charges in the county compared to the total number of cannabis possession charges in the State of Maryland; and

WHEREAS, pursuant to Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322(a)(6) and (b)(2), each county shall pass a law establishing the purpose for which money received from the Fund may be used; provided, however, that such money may be used only for 1) funding community-based initiatives intended to benefit low-income communities; 2) funding community-based initiatives that serve disproportionately impacted areas, as defined by Md. Code Ann., Alcoholic Beverages and Cannabis § 36-101; and 3) any related administrative expenses; and

WHEREAS, the County Council is desirous of establishing a Dorchester County Community Reinvestment and Repair Fund in accordance with the foregoing statutory authority, pursuant to the provisions of this Bill; and

WHEREAS, the County Council finds that the enactments set forth herein are necessary to promote and protect public health, safety, and welfare.

SECTION ONE: Acting under Md. Code Ann., Local Gov't § 10-206(a)(2), Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322(b)(2), and § 301 of the Charter of Dorchester County, Maryland, be it ENACTED and ORDAINED by the County Council of Dorchester County, Maryland that Chapter 144 (Taxation) of the Dorchester County Code be and it is hereby amended for the purpose of enacting a new Article XXII entitled "Community Reinvestment and Repair Fund," to read as follows:

CHAPTER 144 TAXATION

Article XXII **Community Reinvestment and Repair Fund**

§ 144-68. Statutory authorization.

Pursuant to the authority contained in Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322, there is hereby established a Dorchester County Community Reinvestment and Repair Fund for the purposes set forth in this article.

§ 144-69. Definitions.

Words and phrases used in this article shall have their usual meaning, unless otherwise defined in this section:

COUNTY – Dorchester County, Maryland.

COUNTY COUNCIL – The County Council of Dorchester County.

COUNTY FUND – The Dorchester County Community Reinvestment and Repair Fund.

DISPROPORTIONATELY IMPACTED AREA – As used herein, "disproportionately impacted area" shall have the same meaning set forth in Md. Code Ann., Alcoholic Beverages and Cannabis § 36-101.

FUNDS – Monies disbursed to the County from the State Fund.

STATE FUND – The State of Maryland Community Reinvestment and Repair Fund.

§ 144-70. Use of funds.

A. In accordance with Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322, funds disbursed to the County from the State Fund shall be deposited into the County Fund and shall be only be used for the following:

- (1) Funding community-based initiatives intended to benefit low-income communities in the incorporated and unincorporated areas of the County;**

(2) Funding community-based initiatives that serve disproportionately impacted areas in the incorporated and unincorporated areas of the County;

(3) Any other use(s) permitted by Md. Code Ann., Alcoholic Beverages and Cannabis § 1-322, as amended from time to time; and

(4) Administrative expenses related Subsections (1) through (3) above.

B. Funds shall not be expended for law enforcement agencies or activities.

C. Funds shall be supplemental to, and shall not supplant, funding that would otherwise be appropriated to preexisting County programs.

D. The County Council shall approve the use of funds annually before expenditure thereof may occur. Before approving the use of funds, the Council shall:

(1) Receive the recommendations of the County Manager regarding proposed expenditure(s) of the funds, which recommendations shall be based upon input received from County staff and community stakeholders as the County Manager deems appropriate; and

(2) Hold a public hearing to receive public comment regarding the proposed expenditure(s) of the funds, which public hearing may, in the County Council's discretion, be held in conjunction with the public hearing on the County's annual budget or separately.

SECTION TWO: And be it further enacted and ordained that if any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Bill, it being the intent of the County Council that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION THREE: And be it further enacted and ordained that all bills, ordinances, or parts thereof inconsistent with the provisions of this Bill are hereby repealed to the extent of such inconsistency.

SECTION FOUR: And be it further enacted and ordained that General Code Publishers is directed to codify the above amendments to the Dorchester County Code accordingly.

SECTION FIVE: And be it further enacted and ordained pursuant to § 308 of the Charter of Dorchester County, Maryland that promptly after enactment of this Act, the County Manager shall cause a fair summary of this Act to be published at least once in a newspaper of general circulation in Dorchester County, Maryland.

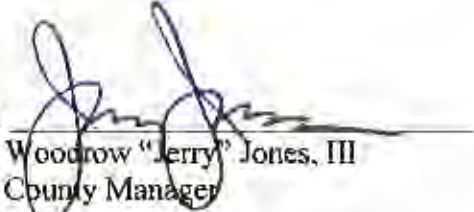
SECTION SIX: And be it further enacted and ordained that this Bill shall be known as Bill No. 2025-1 of Dorchester County, Maryland and shall take effect sixty (60) days after its final passage.

PASSED this 18 day of February, 2025.

ATTEST:

COUNTY COUNCIL OF DORCHESTER
COUNTY, MARYLAND

BY:


Woodrow "Jerry" Jones, III
County Manager

BY:


George L. Pfeffer, Jr.
President

Pfeffer - Aye

Detmer - Aye

Kramer - Aye

Nichols - Aye

Travers - Aye