

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Lambert

Typed by: Lynn

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Proofread by _____

Checked by _____

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

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – School Facilities Surcharge – Exemptions –**
3 **Transit Oriented Development – Workforce Housing**

4 **PG 415–19**

5 FOR the purpose of altering the exemptions from the Prince George’s County school
6 facilities surcharge to include mixed retirement development or elderly housing,
7 single–family attached dwelling units located in a certain Transforming
8 Neighborhood Initiative area, and certain multi–family housing located within a
9 certain distance of a Metro Station or a Purple Line station; repealing certain
10 exemptions related to certain single–family dwelling units and certain multi–family
11 housing; and generally relating to the school facilities surcharge in Prince George’s
12 County.

13 BY repealing and reenacting, without amendments,
14 The Public Local Laws of Prince George’s County
15 Section 10–192.01(a)(1)
16 Article 17 – Public Local Laws of Maryland
17 (2015 Edition, as amended)

18 BY repealing and reenacting, with amendments,
19 The Public Local Laws of Prince George’s County

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 10–192.01(b)(2)
2 Article 17 – Public Local Laws of Maryland
3 (2015 Edition, as amended)

4 BY repealing
5 The Public Local Laws of Prince George’s County
6 Section 10–192.01(b)(3) and (5)
7 Article 17 – Public Local Laws of Maryland
8 (2015 Edition, as amended)

9 BY repealing
10 The Public Local Laws of Prince George’s County
11 Section 10–192.01(b)(4)
12 Article 17 – Public Local Laws of Maryland
13 (2015 Edition, as amended)
14 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014 and Chapter
15 733 of the Acts of the General Assembly of 2016)

16 BY repealing
17 The Public Local Laws of Prince George’s County
18 Section 10–192.01(b)(6)
19 Article 17 – Public Local Laws of Maryland
20 (2015 Edition, as amended)
21 (As enacted by Chapter 637 of the Acts of the General Assembly of 2014)

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

24 **Article 17 – Prince George’s County**

25 10–192.01.

26 (a) (1) The County Council, by ordinance, shall impose a school facilities
27 surcharge on new residential construction for which a building permit is issued on or after
28 July 1, 2003.

29 (b) (2) The school facilities surcharge does not apply to [a]:

1 (A) A mixed retirement development or elderly housing;

2 (B) A SINGLE-FAMILY ATTACHED DWELLING UNIT IF THE
3 SINGLE-FAMILY DWELLING UNIT IS LOCATED IN A TRANSFORMING NEIGHBORHOOD
4 INITIATIVE (TNI) AREA; OR

5 (C) MULTI-FAMILY HOUSING THAT IS LOCATED WITHIN
6 ONE-QUARTER MILE OF A METRO STATION OR A PURPLE LINE STATION IF THE
7 MULTI-FAMILY HOUSING IS CONSTRUCTED UNDER A GOVERNMENT REGULATION OR
8 BINDING AGREEMENT THAT DESIGNATES AT LEAST 25% OF THE DWELLING UNITS
9 FOR AT LEAST 30 YEARS AS AFFORDABLE HOUSING FOR RESIDENTS WHOSE INCOME
10 DOES NOT EXCEED 80% OF THE AREA MEDIAN INCOME FOR PRINCE GEORGE'S
11 COUNTY ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN
12 DEVELOPMENT.

13 [(3) The school facilities surcharge does not apply to a single-family
14 detached dwelling that is to be built or subcontracted by an individual owner in a minor
15 subdivision and that is intended to be used as the owner's personal residence.

16 (4) (A) The school facilities surcharge does not apply to multi-family
17 housing designated as student housing that is located in the area within the campus of
18 Capitol Technology University located adjacent to and east of Springfield Road in Parcels
19 1 and 2 in the subdivision of land known as "Parcels 1 and 2, Capitol Institute of
20 Technology", as per plat recorded in Plat Book NLP 115 at Plat 31 among the Land Records
21 of Prince George's County, Maryland.

22 (B) (i) Subject to subsubparagraph (ii) of this subparagraph, the
23 school facilities surcharge does not apply to multi-family housing that is located in the City
24 of College Park and designated as graduate student housing by the City of College Park.

25 (ii) The County Council may, by Resolution, reverse a
26 designation by the City of College Park of multi-family housing as graduate student
27 housing within 60 days of the designation.

28 (C) If the housing is converted from student housing or graduate
29 student housing to multi-family housing for the general population, the owner of the
30 property shall pay, at the time of the conversion, the school facilities surcharge in
31 accordance with the laws at the time of the conversion.

1 (5) The school facilities surcharge does not apply to a single-family
2 dwelling unit that is to be built or subcontracted by an individual owner to replace on the
3 same lot a previously existing single-family dwelling unit that was destroyed by fire,
4 explosion, or a natural disaster if the single-family dwelling unit is:

5 (A) Similar to the previously existing single-family dwelling unit;
6 and

7 (B) Owned and occupied by the same individual who owned and
8 occupied the previously existing single-family dwelling unit.

9 (6) The school facilities surcharge does not apply to a single-family
10 attached dwelling unit if the single-family dwelling unit is:

11 (A) Located in a residential revitalization project;

12 (B) Located in the Developed Tier as defined in the Prince George's
13 County General Plan;

14 (C) Located in a Transforming Neighborhood Initiative (TNI) area;

15 (D) Located on the same property as previously existing
16 multi-family dwelling units;

17 (E) Developed at a lower density than the previously existing
18 multi-family dwelling units;

19 (F) Offered for sale only on a fee simple basis; and

20 (G) Located on a property that is less than 6 acres in size.]

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019.