

Section 13E

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

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

Article 25B – Home Rule for Code Counties

1.

(a) "Code county" (as defined in Article XI-F of the Constitution, § 1) means a county which is not a charter county under Article XI-A of the Constitution and which has adopted the optional powers of home rule provided in Article XI-F of the Constitution and this article.

13E.

(A) (1) THE COUNTY COMMISSIONERS OF A CODE COUNTY, BY PUBLIC LOCAL LAW, MAY IMPOSE A DEVELOPMENT EXCISE TAX WHEN A SUBDIVISION LOT IS INITIALLY SOLD OR TRANSFERRED, FOR FINANCING, IN WHOLE OR IN PART, THE CAPITAL COSTS OF ADDITIONAL OR EXPANDED PUBLIC SCHOOL FACILITIES OR IMPROVEMENTS.

(2) (I) BEFORE PASSING A PUBLIC LOCAL LAW IMPOSING A DEVELOPMENT EXCISE TAX OR ALTERING THE AMOUNT OF THE TAX, THE COUNTY COMMISSIONERS SHALL HOLD A PUBLIC HEARING.

(II) NOTICE OF THE HEARING SHALL BE PUBLISHED IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY NOT LESS THAN 3 OR MORE THAN 14 DAYS BEFORE THE HEARING.

(III) THE NOTICE SHALL STATE THE SUBJECT OF THE HEARING AND THE TIME AND PLACE THAT THE HEARING WILL OCCUR.

(3) THE COUNTY COMMISSIONERS SHALL SPECIFY AND THE NOTICE SHALL STATE THE AMOUNT OF THE TAX AND THE TIME DURING THE SUBDIVISION PROCESS THAT THE TAX SHALL BE PAID.

(4) A DEVELOPMENT EXCISE TAX IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$750 PER LOT.

(5) A DEVELOPMENT EXCISE TAX MAY NOT BE IMPOSED UNDER THIS SECTION, IN A COUNTY THAT ~~ALREADY~~ IMPOSES A DEVELOPMENT IMPACT FEE.

(B) (1) THE COUNTY COMMISSIONERS SHALL DEPOSIT DEVELOPMENT EXCISE TAXES IN AN ACCOUNT KNOWN AS THE "EDUCATIONAL FACILITIES IMPROVEMENT FUND".

(2) MONEY IN THE EDUCATIONAL FACILITIES IMPROVEMENT FUND MAY ONLY BE USED TO PAY FOR CAPITAL PROJECTS, OR FOR DEBT INCURRED FOR CAPITAL PROJECTS, FOR ADDITIONAL OR EXPANDED PUBLIC SCHOOL FACILITIES OR IMPROVEMENTS.