

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

Article 17 - Prince George's County

10-192.11.

(A) THE COUNTY COUNCIL, BY ORDINANCE, ~~SHALL~~ MAY IMPOSE A PUBLIC SAFETY SURCHARGE ON NEW RESIDENTIAL CONSTRUCTION FOR WHICH A ~~BUILDING PERMIT IS APPLIED~~ PRELIMINARY PLAN HAS BEEN APPROVED BY THE COUNTY COUNCIL ON OR AFTER ~~JANUARY 1, 2006~~ JULY 1, 2005.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A PUBLIC SAFETY SURCHARGE IMPOSED ON A SINGLE-FAMILY DETACHED DWELLING, TOWN HOUSE, OR DWELLING UNIT FOR ANY OTHER BUILDING CONTAINING MORE THAN A SINGLE DWELLING UNIT SHALL BE IN THE AMOUNT OF:

~~(A) \$8,000 FROM JANUARY 1, 2006 THROUGH DECEMBER 31, 2006;~~
AND

~~(B) \$5,000 ON OR AFTER JANUARY 1, 2007.~~

(A) \$6,000; OR

(B) FOR CONSTRUCTION IN THE DEVELOPED TIER, AS DEFINED BY THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION IN THE 2002 PRINCE GEORGE'S COUNTY APPROVED GENERAL PLAN, \$2,000.

(2) THE PUBLIC SAFETY SURCHARGE DOES NOT APPLY TO A SINGLE-FAMILY DETACHED DWELLING THAT IS TO BE BUILT OR SUBCONTRACTED BY AN INDIVIDUAL OWNER IN A MINOR SUBDIVISION AND THAT IS INTENDED TO BE USED AS THE OWNER'S PERSONAL RESIDENCE.

(3) THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY WAIVE ANY SURCHARGE IMPOSED UNDER SUBSECTION (B)(1)(B) OF THIS SECTION.

(C) THE PUBLIC SAFETY SURCHARGE SHALL BE PAID BY THE SELLER AT THE TIME A BUILDING PERMIT IS ISSUED FOR THE DWELLING UNIT. THE PUBLIC SAFETY SURCHARGE MAY NOT BE CONSTRUED TO BE A SETTLEMENT COST.

~~(D) PAYMENT OF THE PUBLIC SAFETY SURCHARGE DOES NOT ELIMINATE ANY AUTHORITY TO APPLY ANY TEST CONCERNING THE ADEQUACY OF PUBLIC SAFETY FACILITIES UNDER THE COUNTY'S ADEQUATE PUBLIC FACILITY ORDINANCE.~~

(D) (1) (A) SUBJECT TO SUBPARAGRAPH (B) OF THIS PARAGRAPH, PAYMENT OF THE PUBLIC SAFETY SURCHARGE REQUIRES THAT ANY TEST CONCERNING THE ADEQUACY OF THE COUNTY'S POLICE FACILITIES UNDER THE COUNTY'S ADEQUATE PUBLIC FACILITY ORDINANCE SHALL BE BASED ON THE COUNTY POLICE RESPONSE TIME APPLIED:

(1) IN THE VICINITY OF THE PROPERTY THAT IS THE SUBJECT OF A PRELIMINARY SUBDIVISION PLAN APPLICATION; AND