

**Article 17 - Prince George's County**

10-192.01.

(a) Subject to Subsection (b) of this Section, the County Council, by ordinance, may impose a school facilities surcharge on new residential construction for which a building permit is applied for on or after July 1, 1996.

(b) ~~†(1)~~ A school facilities surcharge may not exceed:

(A) ~~\$1,500~~ \$2,500 per single-family, detached dwelling;

(B) ~~\$800~~ \$1,200 per townhouse; or

(C) ~~\$400~~ \$700 per dwelling unit for any other building containing more than a single dwelling unit.~~†~~

~~†(2)†(4)~~ The County Council, by ordinance, may provide a full or partial credit against the school facilities surcharge for moderately priced dwelling units.

~~†(3)†(2)~~ The school facilities surcharge does not apply to a:

*(I) A MIXED RETIREMENT DEVELOPMENT OR ELDERLY HOUSING; OR*

*(II) A dwelling unit on property for which a valid preliminary plan of subdivision was originally approved before October 1, 1995.*

(c) The school facilities surcharge shall be paid by the seller at the time a building permit is issued for the dwelling unit. The school facilities surcharge may not be construed to be a settlement cost.

(d) Payment of the school facilities surcharge [shall] DOES NOT eliminate [the application of] ANY AUTHORITY TO APPLY any test concerning the adequacy of school facilities under the County's adequate public facility ordinance.

(e) Revenue collected under the school facilities surcharge shall be deposited in a separate account and may only be used to pay for:

(1) Additional or expanded public school facilities; or

(2) Debt service on bonds issued for additional or expanded public school facilities.

(f) Revenue collected under the school facilities surcharge is intended to supplement funding for public school facilities and may not supplant other County or State funding for school construction.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 1997.

Approved May 8, 1997.