

(4) The school facilities surcharge does not apply to multi-family housing designated as student housing within 1.5 miles of the University of Maryland, College Park campus. If the housing is converted from student housing to multi-family housing for the general population, the owner of the property shall pay, at the time of the conversion, the school facilities surcharge in accordance with the laws at the time of the conversion.

(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 does not eliminate 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 SUCH AS RENOVATIONS TO EXISTING SCHOOL BUILDINGS OR OTHER SYSTEMIC CHANGES; or

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

(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.

(g) The County Executive of Prince George's County shall prepare an annual report on the school facilities surcharge on or before August 31 of each year for the County Council of Prince George's County, the Prince George's County Senate Delegation, and the Prince George's County House Delegation, to include:

(1) a detailed description of how fees were expended; and

(2) the amount of fees collected.

(h) This Section does not apply to any property located in an infrastructure finance district approved before January 1, 2000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

Approved May 22, 2003.

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