

(III) AN ADDITIONAL DWELLING UNIT MEETING ALL THE CRITERIA UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS SEPARATE FROM THE PRIMARY DWELLING UNIT MAY NOT BE SUBDIVIDED OR CONVEYED SEPARATELY FROM THE PRIMARY DWELLING UNIT.

(3) (I) EACH LOCAL JURISDICTION SHALL:

1. MAINTAIN RECORDS OF ALL BUILDING PERMITS ISSUED UNDER THIS SUBSECTION FOR ADDITIONAL DWELLING UNITS CONSIDERED PART OF A PRIMARY DWELLING UNIT; AND

2. PROVIDE THIS INFORMATION ON A QUARTERLY BASIS TO THE COMMISSION.

(II) BEGINNING ON NOVEMBER 1, 2004 AND ANNUALLY THEREAFTER, THE COMMISSION SHALL REPORT, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE, AND THE JOINT COMMITTEE ON THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA REGARDING THE CONSTRUCTION OF ADDITIONAL DWELLING UNITS CONSIDERED PART OF A PRIMARY DWELLING UNIT UNDER THIS SUBSECTION.

(4) THE PROVISIONS OF THIS SUBSECTION:

(I) APPLY TO DENSITY CALCULATIONS ONLY; AND

(II) MAY NOT BE CONSTRUED TO AUTHORIZE A LOCAL JURISDICTION TO GRANT A VARIANCE, UNLESS THE VARIANCE IS GRANTED IN ACCORDANCE WITH THE REQUIREMENTS OF § 8-1808(D) OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any dwelling unit in existence or for which all necessary permits for construction had been issued before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2004.

Approved May 26, 2004.

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**CHAPTER 547**  
**(House Bill 1357)**

AN ACT concerning

**Talbot County - Board of Education - Selection of Members - Straw Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Talbot County at the November general election of 2004 to determine the sense of the voters of