

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

10-192.01.

(a) The County Council, by ordinance, shall impose a school facilities surcharge on new residential construction for which a building permit is applied for on or after July 1, ~~2000~~ 2002.

(b) (1) A school facilities surcharge imposed on a single-family detached dwelling, townhouse, or dwelling unit for any other building containing more than a single dwelling unit shall be in the amount of \$5,000.

(2) The school facilities surcharge does not apply to a mixed retirement development or elderly housing.

(3) The school facilities 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.

(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; 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.

(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