

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2007 Legislative Session

Bill No. CB-12-2007

Chapter No. 15

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Dean, Dernoga, Exum, Bland and Harrington

Co-Sponsors _____

Date of Introduction July 2, 2007

BILL

1 AN ACT concerning

2 Sales and Use Tax on Telecommunications Service

3 For the purpose of increasing the levy and imposition of the sales and use tax on
4 telecommunications service in Prince George’s County, generally relating to the sales and use
5 tax on telecommunications service, and complying with the provisions of Section 813 of the
6 County Charter.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 10. FINANCE AND TAXATION.

9 Section 10-192.03

10 The Prince George's County Code

11 (2003 Edition, 2006 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Section 10-192.03 of the Prince George's County Code be and the same is hereby
14 repealed and reenacted with the following amendments:

15 SUBTITLE 10. FINANCE AND TAXATION.

16 DIVISION 7. TAXES AND TAX CREDITS.

17 SUBDIVISION 3. SALES AND USE TAX ON TELECOMMUNICATIONS SERVICE.

18 * * * * *

19 **Sec. 10-192.03. Sales and use tax on telecommunications service levied and imposed.**

20 (a) There is hereby levied and imposed a sales and use tax on telecommunications service
21 in Prince George's County as set forth in Section 10-192.04. The tax rate shall be [eight percent

1 (8%)] eleven percent (11%) on the gross receipts for telecommunications service in Prince
 2 George's County as provided under this Subdivision. For purposes of this Subdivision, gross
 3 receipts shall not include any Federal, State or Local taxes and any Federal, State or Local fees
 4 or surcharges.

5 SECTION 2. BE IT FURTHER ENACTED that, pursuant to Section 813 of the Prince
 6 George's County Charter, this Act is hereby referred to a referendum of the legally qualified
 7 voters of Prince George's County at the general election to be held in November of 2008. The
 8 County governing body and the Prince George's County Board of Elections shall do those things
 9 necessary and proper to provide for and hold the referendum required by Section 813 of the
 10 Prince George's County Charter. If a simple majority of the votes cast on the question are "For
 11 the referred law" the provisions of this Act shall become effective immediately, but if a simple
 12 majority of the votes cast on the question are "Against the referred law" the provisions of this
 13 Act are of no effect and null and void. The question to be certified to the Prince George's
 14 County Board of Elections for inclusion on the ballot for said general election shall be in
 15 substantially the following form:

16 TELECOMMUNICATIONS SERVICE SALES AND USE TAX

17 AN ACT to increase the sales and use tax on gross receipts from telecommunications
 18 service within Prince George's County from 8 percent to 11 percent to increase funding available
 19 to the Prince George's County Board of Education.

20 SECTION 3. BE IT FURTHER ENACTED that in the event that any of the provisions of
 21 Section 813 of the Prince George's County Charter is declared invalid, inapplicable to Subtitle
 22 10, Division 7, Subdivision 3 of the County Code, or unconstitutional by a court of competent
 23 jurisdiction, the provisions of Section 10-192.03 shall revert to the language in existence on
 24 June 1, 2007.

25 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
 26 calendar days after it becomes law, provided however, that this Act shall be void and of no
 27 further effect unless this Act is referred to and approved by the qualified voters of the County at
 28 the November 7, 2008, general election pursuant to Section 813 of the Prince George's County
 29 Charter.

Adopted this 24th day of July, 2007.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Camille A. Exum
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

**In accordance with Section 411 of the Charter of Prince George's County:
The County Executive having failed to return this Bill within ten (10) days after the date of
its presentation to him with either his approval or veto; is subject to referendum on
11/4/2008.**

NOTE: FAILED AT REFERENDUM ON 11/4/2008