

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-82-2020

Chapter No. 72

Proposed and Presented by Council Member Davis

Introduced by Council Members Davis, Turner, Streeter, Ivey, Dernoga, Glaros, Franklin,
Harrison and Anderson-Walker

Date of Introduction October 20, 2020

BILL

1 AN ACT concerning

2 Property Tax Credit

3 For the purpose of authorizing the partial property tax credit for residential real property located
4 in an area adversely impacted by the Brown Station Road Sanitary Landfill.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 10. FINANCE AND TAXATION.

7 Section 10-194.02,

8 The Prince George's County Code

9 (2019 Edition).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 10-194.02 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 SUBTITLE 10. FINANCE AND TAXATION.

14 DIVISION 8. TAX ASSESSMENT, LEVY, AND COLLECTION.

15 SUBDIVISION 1A. PROPERTY TAX CREDIT.

16 **Sec. 10-194.02. Same; Residential property adversely impacted by sanitary landfills.**

17 (a) All improved residential property, [purchased prior to June 30, 1987, by the person
18 requesting the credit, or purchased prior to the initial date that a new or expanded sanitary
19 landfill is included within the County's Ten Year Solid Waste Plan, impacted by its
20 proximity to a sanitary landfill] purchased prior to December 31, 2020, is hereby exempted

1 from a portion of the County property tax in accordance with Section 9-318, Tax-Property
 2 Article, Annotated Code of Maryland, provided that the improved residential property is:

3 (1) Located within one-half mile of the boundary of the area [permitted by the State for
 4 the landfilling of solid waste] measured from the Brown Station Road Sanitary Landfill
 5 property line; or

6 (2) [Abutting Old Laurel-Bowie Road between Chestnut Avenue and new Maryland
 7 Route 197, Ninth Street between Chestnut Avenue and Lanham-Severn Road, Lanham-
 8 Severn Road between Springfield Road and Ninth Street, or within the Huntington
 9 Subdivision in Bowie; or

10 (3)] Abutting White House Road between Maryland Route 202 and Ritchie-Marlboro
 11 Road, Brown Road between Ritchie-Marlboro Road and Brown Station Road, Brown
 12 Station Road between White House Road and Old Marlboro Pike, or Ritchie-Marlboro Road
 13 between Interstate 95 and Brown Road.

14 (b) The partial property tax credit shall be granted for the full fiscal year following any
 15 portion of the immediately preceding fiscal year in which landfilling operations commence
 16 or continue pursuant to a State refuse disposal permit and shall be granted annually as long
 17 as the Brown Station Road Sanitary Landfill operates.

18 (c) The partial property tax credit shall be payable from the site development and
 19 environmental surcharge collected pursuant to Section [10-257.01] 21-123 and shall be in an
 20 amount equal to the average cost of refuse collection for the eligible property. The Treasury
 21 Division of the Office of Finance and the Department of the Environment shall ensure
 22 eligible property owners receive proper notice of their eligibility for the partial property tax
 23 credit.

24 (d) Application and proof of eligibility for exemption shall be filed with the Director of
 25 Finance on forms provided no later than July 1 and approved by the Director of Finance no
 26 later than October 1 of the tax year for which exemption is sought.

27 (e) During any fiscal year, the total of all tax credits granted under this Section shall not
 28 exceed Five Hundred Thousand Dollars (\$500,000). Tax credits shall be granted in the order
 29 in which the Office of Finance receives the complete application under Subsection (d) of
 30 this Section. If a complete application granted would cause the limit set forth in this
 31 Subsection to be exceeded, the tax credit shall be granted in the next fiscal year or years and
 32 in the order received.

1 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
2 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
3 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
4 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
5 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
6 Act, since the same would have been enacted without the incorporation in this Act of any such
7 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
8 or section.

9 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
10 calendar days after it becomes law.

Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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.