

SENATE BILL 315

Q2, L2, M3

4lr0327

By: **Senator Simonaire**

Introduced and read first time: January 17, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Stormwater Remediation Fee – County Tax Limitations**

3 FOR the purpose of prohibiting certain counties or municipalities from setting a
4 certain stormwater remediation fee that would generate revenues that, when
5 combined with county property tax revenues, would exceed a certain county tax
6 limitation; and generally relating to subjecting stormwater remediation fees to
7 county tax limitations.

8 BY repealing and reenacting, without amendments,
9 Article – Environment
10 Section 4–202.1(a), (b), (c), and (d)
11 Annotated Code of Maryland
12 (2013 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 4–202.1(e)
16 Annotated Code of Maryland
17 (2013 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Environment**

21 4–202.1.

22 (a) (1) Except as provided in paragraph (2) of this subsection, this section
23 applies to a county or municipality that is subject to a national pollutant discharge
24 elimination system Phase I municipal separate storm sewer system permit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) This section does not apply to a county or municipality that, on or
2 before July 1, 2012, has enacted and implemented a system of charges under § 4–204
3 of this subtitle for the purpose of funding a watershed protection and restoration
4 program, or similar program, in a manner consistent with the requirements of this
5 section.

6 (b) On or before July 1, 2013, a county or municipality shall adopt and
7 implement local laws or ordinances necessary to establish a watershed protection and
8 restoration program.

9 (c) A watershed protection and restoration program established under this
10 section shall include:

11 (1) A stormwater remediation fee; and

12 (2) A local watershed protection and restoration fund.

13 (d) (1) A county or municipality shall maintain or administer a local
14 watershed protection and restoration fund in accordance with this section.

15 (2) The purpose of a local watershed protection and restoration fund is
16 to provide financial assistance for the implementation of local stormwater
17 management plans through stormwater management practices and stream and
18 wetland restoration activities.

19 (e) (1) Except as provided in paragraph (2) of this subsection and
20 subsection (f) of this section, a county or municipality shall establish and annually
21 collect a stormwater remediation fee from owners of property located within the
22 county or municipality in accordance with this section.

23 (2) Property owned by the State, a unit of State government, a county,
24 a municipality, or a regularly organized volunteer fire department that is used for
25 public purposes may not be charged a stormwater remediation fee under this section.

26 (3) (i) A county or municipality shall set a stormwater remediation
27 fee for property in an amount that is based on the share of stormwater management
28 services related to the property and provided by the county or municipality.

29 (ii) A county or municipality may set a stormwater remediation
30 fee under this paragraph based on:

31 1. A flat rate;

32 2. An amount that is graduated, based on the amount of
33 impervious surface on each property; or

