

SENATE BILL 44

M3, L2

(PRE-FILED)

2lr0692
CF HB 61

By: **Senator Colburn**

Requested: October 11, 2011

Introduced and read first time: January 11, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 27, 2012

CHAPTER _____

1 AN ACT concerning

2 **Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

3 FOR the purpose of authorizing the Dorchester County ~~Commissioners~~ Council to
4 collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary
5 District; and generally relating to the collection of the Bay Restoration Fee.

6 BY repealing and reenacting, without amendments,
7 Article – Environment
8 Section 9–1605.2(d)(2) and (3)
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2011 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Environment
13 Section 9–1605.2(d)(4)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2011 Supplement)

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

18 **Article – Environment**

19 9–1605.2.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (d) (2) (i) Except as provided in subparagraph (ii) of this paragraph,
 2 the Bay Restoration Fee shall be collected by the local government or the billing
 3 authority for the water or wastewater facility, as appropriate, on behalf of the State.

4 (ii) For a wastewater facility without a billing authority, the
 5 Comptroller may collect the restoration fee from the facility owner.

6 (3) A local government, billing authority for a water or wastewater
 7 facility, or any other authorized collecting agency:

8 (i) May use all of its existing procedures and authority for
 9 collecting a water or sewer bill, an onsite sewage disposal system bill, or a holding
 10 tank bill in order to enforce the collection of the Bay Restoration Fee; and

11 (ii) Shall establish a segregated account for the deposit of funds
 12 collected under this section.

13 (4) (i) **THIS PARAGRAPH APPLIES ONLY IN DORCHESTER**
 14 **COUNTY.**

15 (ii) **[In Dorchester County, an] AN** unpaid Bay Restoration Fee
 16 shall be a lien against the property served by a wastewater facility, onsite sewage
 17 disposal system, or holding tank.

18 **[(ii)] (iii)** A notice of lien shall be recorded in the land records of
 19 Dorchester County.

20 (iv) **THE COUNTY ~~COMMISSIONERS~~ COUNCIL MAY COLLECT**
 21 **THE BAY RESTORATION FEE ON BEHALF OF THE DORCHESTER COUNTY**
 22 **SANITARY DISTRICT.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 24 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.