

Expedited Bill No. 16-18
Concerning: Taxation – Transportation
Mitigation Payment - Credit
Revised: April 24, 2018 Draft No. 3
Introduced: May 1, 2018
Enacted: July 17, 2018
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Floreen
Co-Sponsors: Councilmembers Katz, Rice and Navarro

AN EXPEDITED ACT to:

- (1) provide a refund or a credit for a transportation mitigation payment made by a property owner under certain circumstances; and
- (2) generally amending the law governing the development impact tax for transportation improvements.

By amending

Chapter 36 of the Laws of Montgomery County 2016
Section 2, Effective Date; Transition

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 2 of Chapter 36 of the Laws of Montgomery County 2016**
2 **is amended as follows:**

3 **Sec. 2. Effective date; Transition.**

4 This Act takes effect on March 1, 2017. The amendments to the development
5 impact tax for transportation improvements and the development impact tax for public
6 school improvements added by Section 1 of this Act, must apply to any application for
7 a building permit filed on or after March 1, 2017. [Any] If a property owner [who] is
8 required to pay the development impact tax rates for transportation or public school
9 improvements that take effect on March 1, 2017, the Director of Finance:

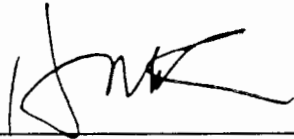
10 (a) must not [be required to pay] require the payment of a transportation
11 mitigation payment or a school facilities payment for the same
12 development; and

13 (b) must refund the payment or give the property owner a credit against the
14 development impact tax for transportation due for the development in the
15 amount of any transportation mitigation payment made for the same
16 development prior to March 1, 2017.

17 **Sec. 2. Expedited Effective Date.**

18 The Council declares that this legislation is necessary for the immediate
19 protection of the public interest. This Act takes effect on the date on which it becomes
20 law and must apply to any transportation mitigation payment made on or after
21 November 29, 2016.

Approved:



7-19-2018

Hans D. Riemer, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Megan Davey Limarzi, Esq., Clerk of the Council

Date