

# SENATE BILL 1164

C7, L6

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CF HB 1636

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By: **Senator Ferguson**

Introduced and read first time: March 7, 2016

Assigned to: Rules

Re-referred to: Budget and Taxation, March 16, 2016

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – South Baltimore Gateway Community Benefits District and**  
3 **Distribution of Local Impact Grants**

4 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish  
5 certain community benefits district management authorities to include the South  
6 Baltimore Gateway Community Benefits District; requiring the ordinance  
7 establishing the South Baltimore Gateway Community Benefits District  
8 Management Authority to specify and modify the boundaries of the district in a  
9 certain manner; requiring the district to include certain neighborhoods; requiring  
10 the establishing ordinance to address certain matters, including the powers and  
11 functions of the Authority, the duration of the Authority, the boundaries of the  
12 district, and the organization and method of initial appointment of officers and board  
13 members of the Authority; providing that a certain financial plan of the Authority  
14 shall be subject to the approval of the Baltimore City Board of Estimates; providing  
15 for the membership of the Authority; specifying the powers of the Authority;  
16 prohibiting the Authority from taking certain actions; prohibiting an officer or  
17 employee of the Authority from acting, in a certain capacity, as an agent or employee  
18 of the Mayor and City Council of Baltimore City or the State; exempting the  
19 ordinance establishing the district or Authority from a certain requirement that the  
20 ordinance be submitted to certain affected voters in a special election; requiring,  
21 starting in a certain fiscal year, a certain percentage of local impact grants from  
22 video lottery proceeds to be distributed to the Authority each year; making certain  
23 conforming changes; providing for the effective date of certain provisions of this Act;  
24 and generally relating to the distribution of certain local impact grants in Baltimore

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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 City and the establishment of the South Baltimore Gateway Community Benefits  
2 District.

3 BY repealing and reenacting, with amendments,  
4 The Charter of Baltimore City  
5 Article II – General Powers  
6 Section (63)  
7 (2007 Replacement Volume, as amended)

8 BY repealing and reenacting, with amendments,  
9 Article – State Government  
10 Section 9–1A–31(b)(3)  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, with amendments,  
14 The Charter of Baltimore City  
15 Article II – General Powers  
16 Section (63)(c–1)(1)(i)  
17 (2007 Replacement Volume, as amended)  
18 (As enacted by Section 1 of this Act)

19 BY repealing and reenacting, with amendments,  
20 Article – State Government  
21 Section 9–1A–31(b)(3)  
22 Annotated Code of Maryland  
23 (2014 Replacement Volume and 2015 Supplement)  
24 (As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the  
25 Second Special Session of 2012)

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

28 **The Charter of Baltimore City**

29 **Article II – General Powers**

30 The Mayor and City Council of Baltimore shall have full power and authority to  
31 exercise all of the powers heretofore or hereafter granted to it by the Constitution of  
32 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in  
33 particular, without limitation upon the foregoing, shall have power by ordinance, or such  
34 other method as may be provided for in its Charter, subject to the provisions of said  
35 Constitution and Public General Laws:

36 (63)

1 (a) (1) To establish, by ordinance, not more than six community benefits  
2 district management authorities, including the Charles Village Community Benefits  
3 District [and], the Midtown Community Benefits District, **AND THE SOUTH BALTIMORE**  
4 **GATEWAY COMMUNITY BENEFITS DISTRICT**, within the City to provide services  
5 consistent with paragraph (2) of this subsection to the business interests and residents of  
6 the proposed district.

7 (2) To establish community benefits district management authorities to  
8 promote and market districts, provide supplemental security and maintenance services,  
9 provide amenities in public areas, provide park and recreational programs and functions,  
10 and after an authority is established, other services and functions as requested by the  
11 authority and approved through an ordinance by the Mayor and City Council.

12 (3) To provide that community benefits district management authorities  
13 shall be proposed by the Board of Estimates of Baltimore City and approved through an  
14 ordinance by the Mayor and City Council.

15 (b) (1) The ordinance establishing the Charles Village Community Benefits  
16 District Management Authority shall specify and modify the boundaries of the district, but  
17 in no event shall the district be outside of the lines, as follows:

18 (i) on the south, a line beginning at the intersection of the center  
19 lines of 20th Street and Howard Street, running east along the center line of 20th Street to  
20 the center line of Guilford Avenue; then

21 (ii) running north along the center line of Guilford Avenue to the  
22 center line of 25th Street; then

23 (iii) running east along the center line of 25th Street to the center  
24 line of Loch Raven Boulevard; then running northeast along the centerline of Loch Raven  
25 Boulevard to the center line of the tracks of the CSX Railroad (approximately 500 feet north  
26 of 25th Street); then

27 (iv) running west along the center line of the CSX railroad tracks to  
28 the center line of Greenmount Avenue; then

29 (v) running north along the center line of Greenmount Avenue to the  
30 center line of Old York Road; then

31 (vi) running north along the center line of Old York Road to the  
32 center line of 43rd Street; then

33 (vii) running west along the center line of 43rd Street to the center  
34 line of Greenmount Avenue; then

35 (viii) running south along the center line of Greenmount Avenue to the  
36 center line of 33rd Street; then

1 (ix) running west along the center line of 33rd Street to the center  
2 line of Charles Street; then

3 (x) running south along the center line of Charles Street to the  
4 center line of 29th Street; then

5 (xi) running west along the center line of 29th Street to the center  
6 line of Howard Street; then running south along the center line of Howard Street to the  
7 center line of 26th Street; then

8 (xii) running west along the center line of 26th Street to the center  
9 line of Huntingdon Avenue; then running south along the center line of Huntingdon Avenue  
10 to the center line of 25th Street; then

11 (xiii) running east along the center line of 25th Street to the center  
12 line of Howard Street; then

13 (xiv) running south along the center line of Howard Street to the  
14 center line of 24th Street; then

15 (xv) running west along the center line of 24th Street to the center  
16 line of Huntingdon Avenue; then

17 (xvi) running south along the center line of Huntingdon Avenue to the  
18 center line of 23rd Street; then running west along the center line of 23rd Street to the  
19 center line of Huntingdon Avenue; then

20 (xvii) running south along the center line of Huntingdon Avenue to the  
21 center line of 21st Street; then

22 (xviii) running east along the center line of 21st Street to the center line  
23 of Howard Street; then

24 (xix) running south along the center line of Howard Street to the  
25 center line of 20th Street (point of origin).

26 (2) Notwithstanding paragraph (1) of this subsection, the Charles Village  
27 Community Benefits District may include properties binding on either side of a street or  
28 the CSX railroad tracks where they comprise part of the boundaries under this subsection.

29 **(B-1) (1) THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE**  
30 **GATEWAY COMMUNITY BENEFITS DISTRICT MANAGEMENT AUTHORITY SHALL**  
31 **SPECIFY AND MODIFY THE BOUNDARIES OF THE DISTRICT, BUT IN NO EVENT SHALL**  
32 **THE DISTRICT BE OUTSIDE THE LINES, AS FOLLOWS:**

1 (I) ON THE SOUTH, A LINE BEGINNING AT THE INTERSECTION  
2 OF THE ~~CENTER LINES OF PATAPSCO AVENUE AND POTEE STREET, RUNNING~~  
3 ~~NORTH ALONG THE CENTER LINE OF POTEE STREET TO THE CENTER LINE OF~~  
4 ~~HOWARD STREET~~ CITY LINE AND THE CENTER LINE OF THE PATAPSCO RIVER,  
5 RUNNING NORTH ALONG THE CENTER LINE OF THE PATAPSCO RIVER TO HANOVER  
6 STREET; THEN

7 (II) RUNNING NORTH ALONG ~~THE CENTER LINE OF~~ HANOVER  
8 STREET TO ~~THE CENTER LINE OF~~ McCOMAS STREET; THEN

9 (III) RUNNING EAST ALONG ~~THE CENTER LINE OF~~ McCOMAS  
10 STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

11 (IV) RUNNING NORTHEAST ALONG THE CENTER LINE OF KEY  
12 HIGHWAY TO THE CENTER LINE OF EAST FORT AVENUE; THEN

13 (V) RUNNING SOUTHEAST ALONG THE CENTER LINE OF EAST  
14 FORT AVENUE TO THE CENTER LINE OF STEVENSON STREET; THEN

15 (VI) RUNNING NORTHEAST ALONG THE CENTER LINE OF  
16 STEVENSON STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

17 ~~(IV)~~ (VII) RUNNING NORTH ALONG THE CENTER LINE OF KEY  
18 HIGHWAY TO THE CENTER LINE OF LIGHT STREET; THEN

19 ~~(V)~~ (VIII) RUNNING NORTH ALONG THE CENTER LINE OF LIGHT  
20 STREET TO THE CENTER LINE OF ~~LOMBARD~~ EAST CONWAY STREET; THEN

21 (IX) RUNNING WEST ALONG THE CENTER LINE OF EAST CONWAY  
22 STREET TO THE CENTER LINE OF SOUTH HOWARD STREET; THEN

23 (X) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH  
24 HOWARD STREET TO THE CENTER LINE OF WEST CAMDEN STREET; THEN

25 (XI) RUNNING WEST ALONG THE CENTER LINE OF WEST  
26 CAMDEN STREET TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

27 (XII) RUNNING SOUTHWEST ALONG THE CENTER LINE OF  
28 WASHINGTON BOULEVARD TO THE CENTER LINE OF SOUTH GREENE STREET; THEN

29 (XIII) RUNNING NORTH ALONG SOUTH GREENE STREET TO THE  
30 CENTER LINE OF WEST PRATT STREET; THEN

1                    (XIV) RUNNING WEST ALONG THE CENTER LINE OF WEST PRATT  
2 STREET TO THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR  
3 BOULEVARD; THEN

4                    (XV) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH  
5 MARTIN LUTHER KING JUNIOR BOULEVARD TO THE CENTER LINE OF WEST  
6 LOMBARD STREET; THEN

7                    ~~(VI)~~ (XVI)    RUNNING WEST ALONG THE CENTER LINE OF WEST  
8 LOMBARD STREET TO THE CENTER LINE OF SCOTT STREET; THEN

9                    ~~(VII)~~ (XVII)    RUNNING SOUTH ALONG THE CENTER LINE OF SCOTT  
10 STREET TO THE CENTER LINE OF PRATT STREET; THEN

11                    ~~(VIII)~~ (XVIII)        RUNNING WEST ALONG THE CENTER LINE OF  
12 PRATT STREET TO THE CENTER LINE OF CAREY STREET; THEN

13                    ~~(IX)~~ (XIX)        RUNNING SOUTH ALONG THE CENTER LINE OF CAREY  
14 STREET TO THE CENTER LINE OF THE TRACKS OF THE BALTIMORE AND OHIO  
15 RAILROAD; THEN

16                    ~~(X)~~ (XX)         RUNNING WEST ALONG THE CENTER LINE OF THE  
17 TRACKS OF THE BALTIMORE AND OHIO RAILROAD TO THE GWYNNS FALLS; THEN

18                    ~~(XI)~~ (XXI)        RUNNING SOUTH ALONG THE CENTER LINE OF THE  
19 GWYNNS FALLS TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

20                    ~~(XII)~~ (XXII)        RUNNING WEST ALONG THE CENTER LINE OF  
21 WASHINGTON BOULEVARD TO THE CENTER LINE OF HOLLINS FERRY ROAD; THEN

22                    ~~(XIII)~~ (XXIII)        RUNNING SOUTH ALONG THE CENTER LINE OF  
23 HOLLINS FERRY ROAD TO THE CENTER LINE OF THE TRACKS OF THE CSX  
24 RAILROAD; THEN

25                    ~~(XIV)~~ (XXIV)        RUNNING SOUTHWEST ALONG THE CENTER  
26 LINE OF THE TRACKS OF THE CSX RAILROAD TO THE ~~CENTER LINE OF PATAPSCO~~  
27 ~~AVENUE~~ CITY LINE; THEN

28                    (XXV)            RUNNING SOUTHEAST ALONG THE CITY LINE TO THE  
29 CENTER LINE OF THE PATAPSCO RIVER (POINT OF ORIGIN).

30                    (2)    NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE  
31 SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT SHALL INCLUDE  
32 PROPERTIES WITHIN THE SAINT PAUL, MOUNT WINANS, LAKELAND, CHERRY HILL,

1 WESTPORT, CARROLL PARK, CARROLL-CAMDEN INDUSTRIAL AREA,  
2 PIGTOWN/WASHINGTON VILLAGE, BARRE CIRCLE, RIDGELY'S DELIGHT,  
3 OTTERBEIN, FEDERAL HILL, RIVERSIDE, SOUTH BALTIMORE, STADIUM AREA,  
4 SPRING GARDEN INDUSTRIAL AREA, MIDDLE BRANCH/REEDBIRD PARKS, AND  
5 WESTPORT NEIGHBORHOOD STATISTICAL AREAS ACCORDING TO THE 2011  
6 NEIGHBORHOOD STATISTICAL AREAS MAP.

7 (c) An ordinance establishing a community benefits district management  
8 authority shall address the following:

9 (1) specify the powers and functions within the limits of this section, which  
10 may be exercised and conducted by the Authority and the amount of taxes or charges which  
11 may be imposed on properties in the district.

12 (2) specify the duration of the Authority and define the boundaries of the  
13 district.

14 (3) provide for the imposition and collection of the taxes or charges and for  
15 disbursement of the revenue therefrom to the Authority. The financial plan of the  
16 Authority, including its annual budget and its tax rate and schedule of charges, shall be  
17 subject to approval by the Board of Estimates. Taxes and charges imposed under this  
18 paragraph may not exceed those proposed by the Authority.

19 (4) determine the organization and method of initial appointment of  
20 officers and board members of the Authority. The majority of the members of the board  
21 shall be owners or representatives of owners of properties in the district that are subject to  
22 taxes or charges under this section. A voting member of the board must be eligible to vote  
23 in the election under subsection [(j)] (K) of this section.

24 (5) determine what classes of property in the district owned by public  
25 service companies as defined in [Article 78] THE PUBLIC UTILITIES ARTICLE of the  
26 Annotated Code of Maryland shall be subject to or exempt from taxes or charges under this  
27 section.

28 (C-1) (1) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE  
29 ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY  
30 BENEFITS DISTRICT MANAGEMENT AUTHORITY SHALL ADDRESS THE FOLLOWING:

31 (I) SPECIFY THE POWERS AND FUNCTIONS WITHIN THE LIMITS  
32 OF THIS SECTION, WHICH MAY BE EXERCISED AND CONDUCTED BY THE AUTHORITY  
33 AND FUND THE AUTHORITY WITH NOT LESS THAN 50% OF THE LOCAL IMPACT  
34 GRANTS FROM VIDEO LOTTERY PROCEEDS DISTRIBUTED TO BALTIMORE CITY  
35 UNDER § 9-1A-31(A)(1)(I) OF THE STATE GOVERNMENT ARTICLE OF THE  
36 ANNOTATED CODE OF MARYLAND;

1 (II) SPECIFY THE DURATION OF THE AUTHORITY AND DEFINE  
2 THE BOUNDARIES OF THE DISTRICT;

3 (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
4 PROVIDE FOR THE DISBURSEMENT OF THE REVENUE FROM LOCAL IMPACT GRANTS  
5 TO THE AUTHORITY; AND

6 (IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,  
7 DETERMINE THE ORGANIZATION AND METHOD OF INITIAL APPOINTMENT OF  
8 OFFICERS AND BOARD MEMBERS OF THE AUTHORITY.

9 (2) THE FINANCIAL PLAN OF THE AUTHORITY, INCLUDING ITS  
10 ANNUAL BUDGET, SHALL BE SUBJECT TO APPROVAL BY THE BOARD OF ESTIMATES.

11 (3) (I) THE BOARD SHALL CONSIST OF NOT MORE THAN ~~19~~ 21  
12 MEMBERS.

13 (II) THE MAJORITY OF THE MEMBERS OF THE BOARD SHALL BE  
14 RESIDENTS OF THE DISTRICT.

15 (III) THE AUTHORITY SHALL BE CHAIRED BY AN INDIVIDUAL  
16 APPOINTED BY THE STATE SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT  
17 WHERE THE VIDEO LOTTERY FACILITY IS LOCATED.

18 ~~(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE~~  
19 ~~AUTHORITY'S BOARD SHALL INCLUDE TWO STATE DELEGATES WHO REPRESENT~~  
20 ~~THE LEGISLATIVE DISTRICT OR DISTRICTS WHERE COMMUNITIES SURROUNDING~~  
21 ~~THE VIDEO LOTTERY FACILITY ARE LOCATED.~~

22 ~~(V) (IV) THE STATE DELEGATES SHALL BE~~ SUBJECT TO  
23 SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE AUTHORITY'S BOARD SHALL  
24 INCLUDE FOUR MEMBERS DESIGNATED BY THE SPEAKER OF THE HOUSE.

25 ~~(VI) THE CHAIR OF THE AUTHORITY SHALL SELECT TWO~~  
26 ~~MEMBERS OF THE BOARD.~~

27 (V) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH,  
28 TWO MEMBERS OF THE AUTHORITY'S BOARD SHALL BE DESIGNATED BY THE STATE  
29 SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO  
30 LOTTERY FACILITY IS LOCATED.

31 (VI) OF THE SIX MEMBERS DESIGNATED UNDER  
32 SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH:



1                   **1. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF**  
2 **THE 40TH LEGISLATIVE DISTRICT; AND**

3                   **2. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF**  
4 **THE 46TH LEGISLATIVE DISTRICT.**

5           (d) As provided by ordinance, the Authority may have the power:

6                   (1) to be a special tax district and to conduct the functions which are  
7 assigned to it by the City;

8                   (2) to acquire, hold and use property necessary to achieve its purposes;

9                   (3) to make contracts;

10                  (4) to sue and be sued;

11                  (5) to borrow and accept grants for purposes consistent with the purposes  
12 of the Authority;

13                  (6) to employ and discharge personnel to carry out its public purposes;

14                  (7) to propose in its annual budget the taxes or charges on properties  
15 within the district. Property that is exempt under State law from ordinary property taxes  
16 shall be exempt from taxes or charges assessed to support the Authority. Before adopting  
17 its proposed budget and making its recommendations to the City, an Authority shall hold  
18 a public hearing on taxes or charges proposed for the district. The Authority shall publish  
19 notice of the hearing in a newspaper of general circulation in Baltimore City at least once  
20 a week for 3 consecutive weeks before the hearing;

21                  (8) to adopt, amend and modify bylaws, all of which shall be subject to the  
22 approval of the Board of Estimates;

23                  (9) to establish and elect officers and provide for their terms and duties;

24                  (10) to contract for and purchase goods and services, without being subject  
25 to the City requirements regarding wage scales, competitive bidding or other local  
26 procurement laws. However, the Authority shall be subject to City ordinances and City  
27 policy requiring achievement of goals regarding minority and women's business  
28 enterprises; and

29                  (11) to do all things necessary or convenient to carry out its powers.

30           **(D-1) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE**  
31 **ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY**

1 **BENEFITS DISTRICT MANAGEMENT AUTHORITY MAY AUTHORIZE THE AUTHORITY**  
2 **TO:**

3 (I) BE A SPECIAL BENEFITS DISTRICT AND TO CONDUCT THE  
4 FUNCTIONS WHICH ARE ASSIGNED TO IT BY THE CITY;

5 (II) ACQUIRE, HOLD, AND USE PROPERTY NECESSARY TO  
6 ACHIEVE ITS PURPOSES;

7 (III) MAKE CONTRACTS;

8 (IV) SUE AND BE SUED;

9 (V) BORROW AND ACCEPT GRANTS FOR PURPOSES CONSISTENT  
10 WITH THE PURPOSES OF THE AUTHORITY;

11 (VI) EMPLOY AND DISCHARGE PERSONNEL TO CARRY OUT ITS  
12 PUBLIC PURPOSES;

13 (VII) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
14 PROPOSE IN ITS ANNUAL BUDGET THE ALLOCATION OF LOCAL IMPACT GRANTS  
15 DISTRIBUTED TO THE AUTHORITY;

16 (VIII) ADOPT, AMEND, AND MODIFY BYLAWS, ALL OF WHICH SHALL  
17 BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES;

18 (IX) ESTABLISH AND ELECT OFFICERS AND PROVIDE FOR THEIR  
19 TERMS AND DUTIES;

20 (X) SUBJECT TO CITY ORDINANCES AND CITY POLICY  
21 REQUIRING ACHIEVEMENT OF GOALS REGARDING MINORITY AND WOMEN'S  
22 BUSINESS ENTERPRISES BUT NOT TO THE CITY REQUIREMENTS REGARDING WAGE  
23 SCALES, COMPETITIVE BIDDING, OR OTHER LOCAL PROCUREMENT LAWS,  
24 CONTRACT FOR AND PURCHASE GOODS AND SERVICES; AND

25 (XI) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT  
26 ITS POWERS.

27 (2) (I) BEFORE ADOPTING ITS PROPOSED BUDGET AND MAKING  
28 ITS RECOMMENDATIONS TO THE CITY, THE AUTHORITY SHALL HOLD A PUBLIC  
29 HEARING ON THE ALLOCATIONS PROPOSED FOR THE DISTRICT.

30 (II) THE AUTHORITY SHALL PUBLISH NOTICE OF THE HEARING  
31 ~~IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A~~

1 ~~WEEK~~ ON THE WEB SITE OF THE AUTHORITY FOR 3 CONSECUTIVE WEEKS BEFORE  
 2 THE HEARING.

3 (e) An Authority created under this section may not:

4 (1) exercise any police or general powers other than those authorized by  
 5 State law and City ordinance;

6 (2) pledge the full faith or credit of the City;

7 (3) impose taxes or charges in excess of those approved by the Board of  
 8 Estimates;

9 (4) exercise the power of eminent domain;

10 (5) extend its life without the approval of the City Council;

11 (6) except as otherwise provided by law, engage in competition with the  
 12 private sector;

13 (7) except as otherwise provided in subsection [(i)] **(J)** of this section, revert  
 14 charges or taxes collected pursuant to this section to the General Fund of the City;

15 (8) be an agency of the Mayor and City Council of Baltimore or the State of  
 16 Maryland, and its officers and employees may not act as agents or employees of the Mayor  
 17 and City Council of Baltimore or the State of Maryland;

18 (9) employ individuals who reside outside the City of Baltimore; and

19 (10) except as required or appropriate to facilitate its normal operations,  
 20 incur debt.

21 **(E-1) (1) THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS**  
 22 **DISTRICT MANAGEMENT AUTHORITY CREATED UNDER THIS SECTION MAY NOT:**

23 **(I) EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN**  
 24 **THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE;**

25 **(II) PLEDGE THE FULL FAITH OR CREDIT OF THE CITY;**

26 **(III) IMPOSE ANY TAXES OR CHARGES;**

27 **(IV) EXERCISE THE POWER OF EMINENT DOMAIN;**

28 **(V) EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY**  
 29 **COUNCIL;**

1           **(VI) EXCEPT AS OTHERWISE PROVIDED BY LAW, ENGAGE IN**  
2 **COMPETITION WITH THE PRIVATE SECTOR;**

3           **(VII) EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS SECTION,**  
4 **REVERT LOCAL IMPACT GRANTS TO THE GENERAL FUND OF THE CITY;**

5           **(VIII) BE AN AGENCY OF THE MAYOR AND CITY COUNCIL OF**  
6 **BALTIMORE OR THE STATE OF MARYLAND;**

7           **(IX) EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE THE CITY OF**  
8 **BALTIMORE; AND**

9           **(X) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS**  
10 **NORMAL OPERATIONS, INCUR DEBT.**

11           **(2) AN OFFICER OR EMPLOYEE OF THE SOUTH BALTIMORE GATEWAY**  
12 **COMMUNITY BENEFITS DISTRICT MANAGEMENT AUTHORITY CREATED UNDER**  
13 **THIS SECTION MAY NOT ACT, IN THE OFFICER'S OR EMPLOYEE'S CAPACITY FOR THE**  
14 **AUTHORITY, AS AN AGENT OR EMPLOYEE OF THE MAYOR AND CITY COUNCIL OF**  
15 **BALTIMORE OR THE STATE OF MARYLAND.**

16           (f) In adopting an ordinance, the City Council shall:

17           (1) give consideration to the views of the property owners, the retail  
18 merchants, the property tenants, and the other members of the business and residential  
19 communities within the district;

20           (2) make a determination that a district created under this section will  
21 reflect a diverse mix of business and residential properties; and

22           (3) make a determination that a district created under this section will  
23 reflect a diverse economic, social, and racial mix.

24           (g) The Mayor and City Council shall review the effectiveness and desirability of  
25 continuing the existence of any district established under this section every 4 years from  
26 the enactment of the ordinance.

27           (h) (1) The Mayor and City Council shall review and determine the desirability  
28 of continuing the existence of each community benefits district established under this  
29 section every 4 years:

30           (i) beginning with the first meeting of the Mayor and City Council  
31 in December 2001 for the Charles Village Community Benefits District, Management  
32 Authority;

1 (ii) beginning with the first meeting of the Mayor and City Council  
2 in December, 2003 for the Midtown Community Benefits District; and

3 (iii) beginning 4 years after the date of the establishment of any other  
4 community benefits district created under this section.

5 (2) If the continuing existence of a community benefits district is not  
6 approved:

7 (i) the district shall cease to exist at the end of the City's fiscal year  
8 in which approval was not granted; and

9 (ii) the District Management Authority shall continue its existence  
10 only as long as necessary to terminate operations in a reasonable manner and to arrange  
11 for the disposition of all funds not needed to satisfy outstanding obligations and reserves  
12 for uncertain obligations and liabilities.

13 (i) The Mayor and City Council of Baltimore may not permit a reduction in the  
14 services provided by the City in a district due to the establishment of a community benefits  
15 district management authority.

16 (j) In the event of a dissolution of a community benefits district, any unspent  
17 funds shall revert back to the City's General Fund.

18 (k) (1) **THIS SUBSECTION DOES NOT APPLY TO AN ORDINANCE ADOPTED**  
19 **CONCERNING THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT.**

20 (2) An ordinance adopted pursuant to this section shall take effect only if  
21 approved by 58% of the aggregate votes cast in a special election by the affected voters.

22 [(2)] (3) The ordinance shall provide criteria for the eligibility of voters  
23 for purposes of the election required by this subsection.

24 [(3)] (4) The ordinance shall provide procedures for a special election as  
25 required in this subsection, which may be administered by write-in ballots.

## 26 Article – State Government

27 9–1A–31.

28 (b) (3) In Baltimore City[,]:

29 (I) **BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE**  
30 **LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION**  
31 **SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY**  
32 **BENEFITS DISTRICT MANAGEMENT AUTHORITY; AND**

1                   **(II)** local impact grants provided under subsection (a)(1)(i) of this  
 2 section shall be used for improvements in the communities in immediate proximity to the  
 3 video lottery facility and may be used for the following purposes:

4                   **[(i)] 1.** infrastructure improvements;

5                   **[(ii)] 2.** facilities;

6                   **[(iii)] 3.** public safety;

7                   **[(iv)] 4.** sanitation;

8                   **[(v)] 5.** economic and community development, including housing;

9 and

10                   **[(vi)] 6.** other public services and improvements.

11                   SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 12 as follows:

### 13                   **The Charter of Baltimore City**

#### 14                   Article II – General Powers

15                   The Mayor and City Council of Baltimore shall have full power and authority to  
 16 exercise all of the powers heretofore or hereafter granted to it by the Constitution of  
 17 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in  
 18 particular, without limitation upon the foregoing, shall have power by ordinance, or such  
 19 other method as may be provided for in its Charter, subject to the provisions of said  
 20 Constitution and Public General Laws:

21 (63)

22                   (c-1) (1) Notwithstanding subsection (c) of this section, the ordinance  
 23 establishing the South Baltimore Gateway Community Benefits District Management  
 24 Authority shall address the following:

25                   (i) specify the powers and functions within the limits of this section,  
 26 which may be exercised and conducted by the Authority and fund the Authority with not  
 27 less than 50% of the local impact grants from video lottery proceeds distributed to  
 28 Baltimore City under [§ 9-1A-31(a)(1)(i)] **§ 9-1A-31(A)(3)(I)** of the State Government  
 29 Article of the Annotated ~~code~~ Code of Maryland;

#### 30                   Article – State Government

1 9-1A-31.

2 (b) (3) In Baltimore City[,]:

3 (I) BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE  
4 LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(3)(I) OF THIS SECTION  
5 SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY  
6 BENEFITS DISTRICT MANAGEMENT AUTHORITY; AND

7 (II) local impact grants provided under subsection (a)(3)(i) of this  
8 section shall be used for improvements in the communities in immediate proximity to the  
9 video lottery facility and may be used for the following purposes:

10 [(i)] 1. infrastructure improvements;

11 [(ii)] 2. facilities;

12 [(iii)] 3. public safety;

13 [(iv)] 4. sanitation;

14 [(v)] 5. economic and community development, including housing;

15 and

16 [(vi)] 6. other public services and improvements.

17 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
18 effect on the taking effect of Section 3 of Chapter 1 of the Acts of the General Assembly of  
19 the Second Special Session of 2012. If Section 3 of Chapter 1 of the Acts of the General  
20 Assembly of the Second Special Session of 2012 does not take effect, Section 2 of this Act  
21 shall be abrogated and of no further force and effect.

22 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this  
23 Act, this Act shall take effect June 1, 2016.