

COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND
(EMERGENCY) LEGISLATIVE BILL # 2024-008

INTRODUCED BY: COMMISSIONERS BREEDING, PORTER, AND BARTZ

INTRODUCED ON: DECEMBER 10, 2024

ATTEST:

J. TRAVIS BREEDING, PRESIDENT

PUBLIC HEARING: DECEMBER 17, 2024, BEGINNING AT 9:15 AM
COURTHOUSE, 109 MARKET STREET, ROOM 106,
DENTON, MARYLAND

THIRD READING: JANUARY 14, 2025

ENACTED:

EFFECTIVE:

AN EMERGENCY BILL ENTITLED

**Amendment to Chapter 62 - New Section 62-10 - Caroline County Community
Reinvestment and Repair Fund**

FOR the purpose of complying with § 1-322 of the Alcoholic Beverages and Cannabis Article by adding a new § 62-10 of Chapter 62 - Comptroller and Collector of Taxes, of the Code of Public Local Laws of Caroline County, establishing the Caroline County Community Reinvestment and Repair Fund as a nonlapsing special revenue fund for the purpose of receiving funds from the State Community Reinvestment and Repair Fund; establishing the purpose for which money deposited into the CCCRRF may be used; and making this Act an Emergency Bill.

WHEREAS, the County Commissioners of Caroline County, Maryland (the "County Commissioners") are authorized under Article XI-F of the Maryland Constitution and § 9-308 of the Local Government Article of the Annotated Code of Maryland (the "Local Government Article") to adopt public local laws in general;

WHEREAS, the General Assembly of Maryland has enacted legislation requiring the Comptroller of Maryland to distribute funds from the State’s Community Reinvestment and Repair Fund (the “State Fund”) to each county in the State in an amount that, for the period from July 1, 2002, to January 1, 2023, both inclusive, is proportionate to the total number of cannabis possession charges in the county compared to the total number of cannabis possession charges in the State;

WHEREAS, the General Assembly has enacted § 1-322 of the Alcoholic Beverages and Cannabis Article of the State Code, which requires in §§ (b)(2)(i) that each county adopt a law establishing the purpose for which money received from the State Fund may be used; and

WHEREAS, this Bill, the purpose of which is to comply with the mandate of the General Assembly, may also be known by its short title “Section 62-10 - Caroline County Community Reinvestment and Repair Fund”.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND, that:

SECTION 1. A NEW SECTION 62-10 “CAROLINE COUNTY COMMUNITY REINVESTMENT AND REPAIR FUND”, OF CHAPTER 62 - COMPTROLLER AND COLLECTOR OF TAXES, OF THE CODE OF PUBLIC LOCAL LAWS OF CAROLINE COUNTY, MARYLAND be, and it is hereby enacted, to read as follows:

§ 62-10

CAROLINE COUNTY COMMUNITY REINVESTMENT AND REPAIR FUND

A. Fund Established . There is a Caroline County Community Reinvestment and Repair Fund (“CCCRRF”), into which shall be deposited all funds received from the State Community Reinvestment and Repair Fund established pursuant to § 1-322 of the Alcoholic Beverages and Cannabis Article of the State Code.

B. Special Fund . The CCCRRF is a nonlapsing special revenue fund.

C. Purpose. The revenue paid into the CCCRRF shall be used only for funding community-based initiatives intended to benefit low-income communities, and community-based initiatives that serve disproportionately impacted areas, as defined in § 36-101 of the Alcoholic Beverages and Cannabis Article of the State Code, and any related administrative expenses, provided that:

- (1) Funds may not be expended from the CCCRRF for any law enforcement agencies or activities; and
- (2) Funds expended from the CCCRRF are supplemental to and may not supplant funding that otherwise would be appropriated for county programs that existed prior to July 1, 2023.

SECTION 2. The Recitals to this Bill are incorporated herein and deemed a substantive part of this Bill.

SECTION 3. The provisions of this Bill are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Bill, it being the intent of the County that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 4. The Publishers of the Code of Public Local Laws of Caroline County, Maryland (the “Code”), or the Caroline County Office of Law, in consultation with and subject to the approval of the County Administrator, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, organization, and any internal or external reference or citations to either the County or the State Code which is incorrect or obsolete, with no further action required by the County Commissioners. All such corrections shall be adequately referenced and described in the editor's note following the section affected.

SECTION 5. The title and summary of this Bill shall be published in at least one newspaper of general circulation in Caroline County three times, at weekly intervals, and **within the 4-week period after passage of the Bill, in accordance with §9-311 (i) of the Local Government Article of the Annotated Code of Maryland.** The title of this Bill, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Bill for publication and all other purposes. The title is not a substantive part of this Bill for publication and all other purposes. If the Bill is amended, the title may be administratively revised to conform to the content of the Bill as finally enacted.

SECTION 6. AND BE IT FURTHER ENACTED, that this Bill is hereby declared to be an emergency ordinance and a necessary measure to address an immediate need affecting the peace, health, safety, and welfare of the residents of Caroline County, and being passed by the affirmative vote of all three County Commissioners, shall become effective upon enactment. Upon enactment, this ordinance shall be retroactive and applicable, to the maximum extent permitted by law and subject to the severability clause above, to all past, pending, and future payments received from the State Community Reinvestment and Repair Fund, and distributions of such funds by the County.

Enacted this _____ day of _____, 2025.

ATTEST:

**COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND**

Jennifer Reibly
Public Information Officer

J. Travis Breeding, President

(SEAL)

Larry C. Porter, Vice-President

N. Franklin Bartz III, Member

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY :**

Stewart Barroll
County Attorney

