

INTRODUCED _____
PUBLIC HEARING _____
COUNCIL ACTION _____
EXEC. ACTION _____
EFFECTIVE DATE _____

County Council of Howard County, Maryland

2025 Legislative Session

Legislative Day No. 6

Bill No. 44 - 2025

Introduced by: The Chairperson at the request of the County Executive

Short Title: Authorize – Installment Purchase Agreements – Capital Project G0164 -\$16,947,400

Title: AN ACT to authorize and empower Howard County, Maryland, to enter into installment purchase agreements to acquire development rights in agricultural lands located within the County (Project No. G-0164), for an aggregate purchase price of not more than for \$16,947,400, plus interest thereon; providing that the County's obligation to pay the purchase price under and interest on such agreements shall be a general obligation of the County made upon its full faith and credit; and to levy taxes upon the assessable property within the County sufficient, together with the portion of the transfer tax imposed on transfers of real property in Howard County which is dedicated to agricultural land preservation and other available funds, to provide for the payment of the purchase price under and interest on any agreements so entered into; and providing for and determining various matters in connection therewith.

Introduced and read first time _____, 2025. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2025 and concluded on _____, 2025.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2025 and Passed, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this __day of _____, 2025 at _____ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2025

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

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In accordance with the provisions of Section 606 of the Charter of the County, the County Council adopted a Capital Budget for the fiscal year ending June 30, 2025 (the “2025 Capital Budget”). The 2025 Capital Budget appropriated \$15,000,000 into Project No. G-0164 for the acquisition of development rights in agricultural lands within the County and transferred \$4,744,000 of the remaining appropriation reauthorized by Council Bill 40-2021 from Project No. G-0163 to Project No. G-0164. The County has used a portion of the authorization under Council Bill No. 40-2021 to enter into Installment Purchase Agreements, but up to \$1,947,400 of such authorization is expected to expire unused on August 3, 2025.

1 **Now, therefore, in accordance with the provisions of Article VI of the Charter of Howard**
2 **County:**

3 **Section 1. Be it enacted by the County Council of Howard County, Maryland,** That Howard
4 County, Maryland (the “County”), is hereby authorized and empowered to enter into installment purchase
5 agreements (each, an “Installment Purchase Agreement”) to acquire development rights in agricultural
6 lands located within the County (Project No. G-0164), at one time or from time to time within four years
7 from the date this Act becomes effective, for an aggregate purchase price of not more than \$16,947,400,
8 plus interest thereon; provided that such maximum aggregate purchase price shall be reduced by the
9 aggregate purchase price under any Installment Purchase Agreements entered into by the County under
10 the authorization contained in Council Bill No. 40-2021 between the date of pre-filing of this Act and the
11 effective date of this Act. The County’s obligation to make payments of the purchase price under the
12 Installment Purchase Agreements authorized hereby and to pay interest thereon under each such
13 Installment Purchase Agreement shall be a general obligation of the County and shall be made upon its
14 full faith and credit. Such obligation may be evidenced by the applicable Installment Purchase
15 Agreement or by a separate certificate of payment or other instrument of indebtedness.

16 **Section 2. Be it further enacted by the County Council of Howard County, Maryland,** That
17 the County shall select the properties for which development rights are to be acquired and shall negotiate
18 the purchase price for such development rights and all other conditions of the Installment Purchase
19 Agreement, subject to and in accordance with Sections 15.500 to 15.520, inclusive, of the Howard
20 County Code, as amended from time to time, and this Act.

21 **Section 3. Be it further enacted by the County Council of Howard County, Maryland,** That
22 the County Council of Howard County, by an ordinance or ordinances adopted from time to time in
23 accordance with Article VI of the Charter of Howard County and other applicable provisions of law, shall
24 approve and provide for (a) the acquisition of the development rights in each particular parcel of
25 agricultural property which is to be the subject of an Installment Purchase Agreement, (b) the form and
26 content of each Installment Purchase Agreement, including, without limitation, (i) the aggregate purchase

1 price thereunder (or the maximum aggregate purchase price and the method of determining the final
2 purchase price subject to such limitation) and the dates of payments of installments of the purchase price
3 (not exceeding twenty years from the date of execution and delivery of the Installment Purchase
4 Agreement), (ii) the interest rate or rates per annum (or the method of determining such rate or rates)
5 payable on, any Installment Purchase Agreement from time to time under this Act, and (iii) the required
6 signatures on such documents.

7 **Section 4. Be it further enacted by the County Council of Howard County, Maryland, That**
8 for the purpose of paying the purchase price under and interest on such Installment Purchase Agreements
9 as the same shall become payable, the County Council of Howard County shall levy annually ad valorem
10 taxes upon the assessable property in Howard County sufficient, together with the portion of the transfer
11 tax imposed on transfers of real property in Howard County which is dedicated to agricultural land
12 preservation and other available funds, to pay the purchase price under and interest on such Installment
13 Purchase Agreements until all of such purchase price and interest has been paid in full.

14 **Section 5. Be it further enacted by the County Council of Howard County, Maryland, That**
15 any Installment Purchase Agreements entered into from time to time under this Act are specifically
16 exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the
17 Annotated Code of Maryland, as amended, and any successor provision of law.

18 **Section 6. Be it further enacted by the County Council of Howard, County, Maryland, That**
19 this Act shall take effect sixty-one (61) days after its enactment.