

HOUSE BILL 784

C8

7lr1160

By: **Delegates Lawton, McIntosh, Barkley, Bobo, Bronrott, Cane, V. Clagett, Frush, Glassman, Healey, Holmes, Huckler, Lafferty, Malone, Manno, Mizeur, Shewell, and Waldstreicher**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2007

CHAPTER _____

1 AN ACT concerning

2 **Affordable Housing – Enabling Authority for Counties and Municipalities**

3 FOR the purpose of authorizing counties and municipalities to take certain actions to
4 support, foster, or promote an affordable housing program for individuals or
5 families of low or moderate income; ~~making certain technical corrections;~~ and
6 generally relating to the authority of counties and municipalities to take action
7 to support, foster, and promote affordable housing.

8 BY ~~repealing and reenacting, with amendments,~~ adding to
9 Article 24 – Political Subdivisions – Miscellaneous Provisions
10 Section ~~6-203~~ 20-101 to be under the new title “Title 20. Affordable Housing
11 Programs”
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2006 Supplement)

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

16 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

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 ~~6-203.~~

2 (a) ~~(1) Any county or municipality of the State may participate in federal~~
3 ~~programs of lower income housing assistance and for this purpose, may:~~

4 ~~[(1)(I) [enter] ENTER into and perform contracts or agreements~~
5 ~~with the United States or federal agencies;~~

6 ~~[(2)(II) [accept] ACCEPT and expend assistance payments made~~
7 ~~with respect to existing, newly constructed, or substantially rehabilitated housing;~~

8 ~~[(3)(III) [act] ACT as a public housing agency within the meaning of~~
9 ~~federal law; and~~

10 ~~[(4)(IV) [do] DO all things necessary or convenient to its~~
11 ~~participation.~~

12 ~~[(b)(2) (I) The powers conferred by this section are in addition to all~~
13 ~~other powers of counties and municipalities and may be exercised directly by the~~
14 ~~county or municipality or as otherwise provided by its governing body, whether or not~~
15 ~~the county or municipality has established a housing authority under the Housing~~
16 ~~Authorities Law.~~

17 ~~(II) This section does not affect any powers conferred on housing~~
18 ~~authorities or on counties or municipalities by Housing Authorities Law or the housing~~
19 ~~cooperation law.~~

20 **TITLE 20. AFFORDABLE HOUSING PROGRAMS.**

21 **20-101.**

22 ~~(B) TO SUPPORT, FOSTER, OR PROMOTE AN AFFORDABLE HOUSING~~
23 ~~PROGRAM FOR INDIVIDUALS OR FAMILIES OF LOW OR MODERATE INCOME, A~~
24 ~~COUNTY OR MUNICIPALITY MAY:~~

25 (1) **ESTABLISH LOCAL TRUST FUNDS OR PROVIDE FOR THE**
26 **APPROPRIATION OF FUNDS;**

1 ~~(2) WAIVE OR MODIFY IMPACT BUILDING PERMIT OR~~
2 ~~DEVELOPMENT FEES AND CHARGES FOR CONSTRUCTION OF LOWER-INCOME~~
3 ~~HOUSING;~~

4 ~~(3)~~ (2) ENACT LEGISLATION THAT RESTRICTS COST AND
5 RESALE PRICES AND REQUIRES DEVELOPMENT OF AFFORDABLE HOUSING
6 UNITS AS PART OF ANY SUBDIVISION IN RETURN FOR ADDED DENSITY;

7 ~~(4)~~ (3) PROVIDE LAND OR PROPERTY FROM THE INVENTORY
8 OF THE COUNTY OR MUNICIPALITY; AND

9 ~~(5)~~ (4) SUPPORT ~~PILOT~~ PILOT (PAYMENT IN LIEU OF TAXES)
10 PROGRAMS TO ENCOURAGE CONSTRUCTION OF AFFORDABLE HOUSING; ~~AND~~

11 ~~(6) CONDUCT ANY OTHER ACTIVITY TO ENABLE THE~~
12 ~~CONSTRUCTION OF AFFORDABLE HOUSING.~~

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.