

# CHAPTER 300

(House Bill 784)

AN ACT concerning

## Affordable Housing – Enabling Authority for Counties and Municipalities

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

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

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

### Article 24 – Political Subdivisions – Miscellaneous Provisions

~~6-203.~~

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

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

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

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

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

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

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

## TITLE 20. AFFORDABLE HOUSING PROGRAMS.

### 20-101.

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

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

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

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

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

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

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

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

**Approved by the Governor, May 8, 2007.**