

HOUSE BILL 1555

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CF SB 911

By: **Delegates Anderson, Branch, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant**

Introduced and read first time: February 25, 2008
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Land Bank Authorities – Establishment by Counties**

3 FOR the purpose of authorizing a county to establish a land bank authority by
4 ordinance; requiring an ordinance establishing an authority to include certain
5 articles of incorporation; requiring certain articles of incorporation to be filed,
6 accepted, and amended in a certain manner; authorizing a county creating an
7 authority to take certain actions by ordinance; providing for the disposition of
8 property and obligations of an authority on termination; requiring an ordinance
9 creating an authority to establish and provide for a board of directors; providing
10 that the procedures of a county incorporating an authority control in certain
11 circumstances; establishing the powers of an authority; authorizing an
12 authority to delegate certain powers; authorizing an authority to purchase, own,
13 or sell property located outside of a certain county; authorizing an authority to
14 employ certain staff and retain certain consultants; authorizing a court to
15 appoint an authority to serve as a certain receiver; requiring an authority to
16 adopt a certain code of ethics; establishing certain policies and procedures, and
17 complying with certain provisions of law; authorizing an authority to exercise
18 certain powers of a county; providing an authority with certain immunities;
19 authorizing an authority to take certain actions relating to property held or
20 owned by an authority; requiring property held by an authority to be
21 inventoried and classified in a certain manner; prohibiting a certain register of
22 deeds from charging a certain fee; providing certain tax exemptions for certain
23 properties, activities, and principal, interest, and income from bonds;
24 authorizing an authority to bring a certain civil action; requiring an authority to
25 be made a party to certain actions; prohibiting a certain proceeding from being
26 held until certain service of process is made; establishing that property and
27 income of an authority is for a certain purpose; requiring an authority to make a
28 certain report in a certain time period; authorizing an authority to issue certain
29 bonds for certain purposes under certain circumstances; authorizing an

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 authority to issue certain bond anticipation notes; authorizing an authority to
2 take certain actions in connection with bonds issued by an authority; requiring
3 an authority to pass a certain resolution in connection with each issue of its
4 bonds; authorizing an authority to enter into certain trust agreements in
5 connection with bonds issued by an authority; requiring an authority to convey
6 title and release certain collateral under certain circumstances; authorizing
7 certain persons to bring certain actions; defining certain terms; providing for
8 the construction of this Act; establishing that the powers granted in this Act are
9 supplemental to certain other powers; establishing that this Act does not
10 authorize an authority to exercise certain powers or levy certain taxes or
11 assessments; and generally relating to land bank authorities.

12 BY adding to

13 Article 24 – Political Subdivisions – Miscellaneous Provisions
14 Section 22–101 through 22–212 to be under the new title “Title 22. Land Bank
15 Authorities”
16 Annotated Code of Maryland
17 (2005 Replacement Volume and 2007 Supplement)

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

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

21 **TITLE 22. LAND BANK AUTHORITIES.**

22 **SUBTITLE 1. GENERAL PROVISIONS.**

23 **22–101.**

24 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) “AUTHORITY” MEANS A NONPROFIT OR QUASI-GOVERNMENTAL
27 ENTITY CREATED BY A COUNTY UNDER § 22–103 OF THIS SUBTITLE.

28 (C) “BOARD” MEANS THE BOARD OF DIRECTORS OF AN AUTHORITY.

29 (D) (1) “BOND” MEANS A BOND ISSUED BY AN AUTHORITY UNDER
30 THIS SUBTITLE.

31 (2) “BOND” INCLUDES A BOND, A REFUNDING BOND, A NOTE, AND
32 ANY OTHER OBLIGATION.

33 (E) “COST” INCLUDES:

- 1 **(1) THE PURCHASE PRICE OF PROPERTY;**
- 2 **(2) THE COST TO ACQUIRE ANY RIGHT, TITLE, OR INTEREST IN**
3 **PROPERTY;**
- 4 **(3) THE COST OF ANY IMPROVEMENTS MADE TO PROPERTY;**
- 5 **(4) THE AMOUNT TO BE PAID TO DISCHARGE EACH OBLIGATION**
6 **NECESSARY OR DESIRABLE TO VEST TITLE TO ANY PART OF PROPERTY IN AN**
7 **AUTHORITY OR OTHER OWNER;**
- 8 **(5) THE COST OF ANY PROPERTY, RIGHT, EASEMENT, FRANCHISE,**
9 **AND PERMIT ASSOCIATED WITH A PROJECT;**
- 10 **(6) THE COST OF LABOR, MACHINERY, AND EQUIPMENT**
11 **NECESSARY TO IMPLEMENT A PROJECT;**
- 12 **(7) FINANCING CHARGES;**
- 13 **(8) INTEREST AND RESERVES FOR PRINCIPAL AND INTEREST AND**
14 **FOR IMPROVEMENTS;**
- 15 **(9) THE COST OF REVENUE AND COST ESTIMATES, ENGINEERING**
16 **AND LEGAL SERVICES, PLANS, SPECIFICATIONS, STUDIES, SURVEYS, AND OTHER**
17 **EXPENSES NECESSARY OR INCIDENT TO DETERMINING THE FEASIBILITY OR**
18 **PRACTICABILITY OF A PROJECT;**
- 19 **(10) ADMINISTRATIVE EXPENSES; AND**
- 20 **(11) OTHER EXPENSES AS NECESSARY OR INCIDENT TO:**
 - 21 **(I) FINANCING A PROJECT;**
 - 22 **(II) ACQUIRING AND IMPROVING A PROJECT;**
 - 23 **(III) PLACING A PROJECT IN OPERATION, INCLUDING**
24 **REASONABLE PROVISION FOR WORKING CAPITAL; AND**
 - 25 **(IV) OPERATING AND MAINTAINING A PROJECT.**
- 26 **(F) "FINANCE" INCLUDES REFINANCE.**
- 27 **(G) (1) "PROJECT" MEANS ANY ORGANIZED PLAN CARRIED OUT BY**
28 **AN AUTHORITY IN RELATION TO:**

1 (I) ACQUIRING AND REHABILITATING ABANDONED AND
2 DILAPIDATED PROPERTIES; AND

3 (II) MARKETING AND LEASING OR SELLING THE
4 REHABILITATED PROPERTIES.

5 (2) "PROJECT" INCLUDES:

6 (I) ACQUIRING LAND OR AN INTEREST IN LAND;

7 (II) ACQUIRING STRUCTURES, EQUIPMENT, AND
8 FURNISHINGS LOCATED ON A PROPERTY;

9 (III) ACQUIRING PROPERTY THAT IS FUNCTIONALLY
10 RELATED AND SUBORDINATE TO A PROJECT; AND

11 (IV) OBTAINING OR CONTRACTING FOR ANY SERVICES
12 NECESSARY FOR THE REHABILITATION OF A PROPERTY.

13 (H) (1) "REVENUES" MEANS THE INCOME, REVENUE, AND OTHER
14 MONEY AN AUTHORITY RECEIVES FROM OR IN CONNECTION WITH A PROJECT
15 AND ALL OTHER INCOME OF AN AUTHORITY.

16 (2) "REVENUES" INCLUDES GRANTS, RENTALS, RATES, FEES, AND
17 CHARGES.

18 (I) "TAX SALE PROPERTY" MEANS PROPERTY OR AN INTEREST IN
19 PROPERTY SOLD BY THE TAX COLLECTOR OF THE COUNTY IN ACCORDANCE
20 WITH TITLE 14, SUBTITLE 8, PART III OF THE TAX - PROPERTY ARTICLE.

21 (J) (1) "TRUST AGREEMENT" MEANS AN AGREEMENT ENTERED INTO
22 BY AN AUTHORITY TO SECURE A BOND.

23 (2) "TRUST AGREEMENT" MAY INCLUDE A BOND CONTRACT,
24 BOND RESOLUTION, OR OTHER CONTRACT WITH OR FOR THE BENEFIT OF A
25 BONDHOLDER.

26 22-102.

27 (A) THIS TITLE SHALL BE LIBERALLY CONSTRUED TO ACCOMPLISH ITS
28 PURPOSES.

1 **(B) THE POWERS GRANTED TO AN AUTHORITY UNDER THIS SECTION**
2 **SHALL BE CONSTRUED AS SUPPLEMENTAL AND IN ADDITION TO POWERS**
3 **GRANTED TO AN AUTHORITY UNDER ANY STATE OR LOCAL LAW.**

4 **(C) THIS TITLE DOES NOT AUTHORIZE AN AUTHORITY TO:**

5 **(1) EXERCISE THE POWER OF EMINENT DOMAIN; OR**

6 **(2) LEVY ANY TAX OR SPECIAL ASSESSMENT.**

7 **22-103.**

8 **(A) BY ORDINANCE, THE LEGISLATIVE BODY OF A COUNTY MAY**
9 **ESTABLISH A LAND BANK AUTHORITY IN ACCORDANCE WITH THIS TITLE.**

10 **(B) AN ORDINANCE ADOPTED UNDER SUBSECTION (A), (F), OR (G) OF**
11 **THIS SECTION:**

12 **(1) IS ADMINISTRATIVE IN NATURE;**

13 **(2) IS NOT SUBJECT TO REFERENDUM; AND**

14 **(3) IN A COUNTY THAT HAS A PUBLICLY ELECTED CHIEF**
15 **EXECUTIVE, IS SUBJECT TO APPROVAL BY THE CHIEF EXECUTIVE.**

16 **(C) SUBSECTION (A) OF THIS SECTION IS SELF-EXECUTING AND FULLY**
17 **AUTHORIZES A COUNTY TO ESTABLISH AN AUTHORITY, NOTWITHSTANDING ANY**
18 **OTHER STATUTORY OR CHARTER PROVISION.**

19 **(D) AN ORDINANCE ADOPTED UNDER SUBSECTION (A) OF THIS SECTION**
20 **SHALL INCLUDE PROPOSED ARTICLES OF INCORPORATION OF AN AUTHORITY**
21 **THAT STATE:**

22 **(1) THE NAME OF THE AUTHORITY, WHICH SHALL BE “LAND**
23 **BANK AUTHORITY OF (NAME OF THE INCORPORATING COUNTY)”;**

24 **(2) THAT THE AUTHORITY IS FORMED UNDER THIS TITLE;**

25 **(3) THE NAMES, ADDRESSES, AND TERMS OF OFFICE OF THE**
26 **INITIAL MEMBERS OF THE BOARD OF DIRECTORS OF THE AUTHORITY;**

27 **(4) THE ADDRESS OF THE PRINCIPAL OFFICE OF THE AUTHORITY;**

28 **(5) THE PURPOSES FOR WHICH THE AUTHORITY IS FORMED; AND**

1 **(6) THE POWERS OF THE AUTHORITY SUBJECT TO THE**
2 **LIMITATIONS ON THE POWERS OF AN AUTHORITY UNDER THIS TITLE.**

3 **(E) (1) THE CHIEF EXECUTIVE OF THE INCORPORATING COUNTY, OR**
4 **ANY OTHER OFFICIAL DESIGNATED IN THE ORDINANCE ESTABLISHING AN**
5 **AUTHORITY, SHALL EXECUTE AND FILE THE ARTICLES OF INCORPORATION OF**
6 **THE AUTHORITY FOR RECORD WITH THE STATE DEPARTMENT OF**
7 **ASSESSMENTS AND TAXATION.**

8 **(2) WHEN THE STATE DEPARTMENT OF ASSESSMENTS AND**
9 **TAXATION ACCEPTS THE ARTICLES OF INCORPORATION FOR RECORD, THE**
10 **AUTHORITY BECOMES A BODY POLITIC AND CORPORATE AND AN**
11 **INSTRUMENTALITY OF THE INCORPORATING COUNTY.**

12 **(3) ACCEPTANCE OF THE ARTICLES OF INCORPORATION FOR**
13 **RECORD BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IS**
14 **CONCLUSIVE EVIDENCE OF THE FORMATION OF THE AUTHORITY.**

15 **(F) (1) BY ORDINANCE, THE LEGISLATIVE BODY OF THE**
16 **INCORPORATING COUNTY MAY ADOPT AN AMENDMENT TO THE ARTICLES OF**
17 **INCORPORATION OF AN AUTHORITY.**

18 **(2) ARTICLES OF AMENDMENT MAY CONTAIN ANY PROVISION**
19 **THAT LAWFULLY COULD BE CONTAINED IN ARTICLES OF INCORPORATION AT**
20 **THE TIME OF THE AMENDMENT.**

21 **(3) THE ARTICLES OF AMENDMENT SHALL BE FILED FOR RECORD**
22 **WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.**

23 **(4) THE ARTICLES OF AMENDMENT ARE EFFECTIVE AS OF THE**
24 **TIME THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION ACCEPTS THE**
25 **ARTICLES FOR RECORD.**

26 **(5) ACCEPTANCE OF THE ARTICLES OF AMENDMENT FOR**
27 **RECORD BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IS**
28 **CONCLUSIVE EVIDENCE THAT THE ARTICLES HAVE BEEN LAWFULLY AND**
29 **PROPERLY ADOPTED.**

30 **(G) (1) SUBJECT TO THE PROVISIONS OF THIS SECTION AND ANY**
31 **LIMITATIONS IMPOSED BY LAW ON THE IMPAIRMENT OF CONTRACTS, THE**
32 **INCORPORATING COUNTY, IN ITS SOLE DISCRETION, BY ORDINANCE MAY:**

1 (I) SET OR CHANGE THE STRUCTURE, ORGANIZATION,
2 PROCEDURES, PROGRAMS, OR ACTIVITIES OF AN AUTHORITY; OR

3 (II) TERMINATE THE AUTHORITY.

4 (2) ON TERMINATION OF THE AUTHORITY:

5 (I) TITLE TO ALL PROPERTY OF THE AUTHORITY SHALL BE
6 TRANSFERRED TO AND SHALL VEST IN THE INCORPORATING COUNTY; AND

7 (II) ALL OBLIGATIONS OF THE AUTHORITY SHALL BE
8 TRANSFERRED TO AND ASSUMED BY THE INCORPORATING COUNTY.

9 **22-104.**

10 (A) AN ORDINANCE THAT CREATES A LAND BANK AUTHORITY SHALL
11 ESTABLISH A BOARD OF DIRECTORS TO GOVERN AN AUTHORITY AND SHALL
12 INCLUDE PROVISIONS FOR:

13 (1) APPOINTMENT PROCEDURES;

14 (2) TERM LENGTHS;

15 (3) REMOVAL PROCEDURES;

16 (4) ELECTION OF A CHAIR; AND

17 (5) POWERS OF THE BOARD.

18 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE OR THE
19 ORDINANCE ESTABLISHING THE AUTHORITY, THE PROCEDURES OF THE
20 INCORPORATING COUNTY CONTROL ANY MATTER RELATING TO THE INTERNAL
21 ADMINISTRATION OF THE AUTHORITY.

22 **22-105.**

23 (A) EXCEPT AS LIMITED BY THE AUTHORITY'S ARTICLES OF
24 INCORPORATION, AN AUTHORITY HAS ALL THE POWERS SET FORTH IN THIS
25 SUBTITLE.

26 (B) AN AUTHORITY MAY:

27 (1) ADOPT BYLAWS FOR THE CONDUCT OF BUSINESS OF THE
28 AUTHORITY;

1 (2) **SUE AND BE SUED;**

2 (3) **MAINTAIN AN OFFICE AT A PLACE THE AUTHORITY**
3 **DESIGNATES;**

4 (4) **BORROW MONEY;**

5 (5) **ISSUE BONDS AND OTHER OBLIGATIONS FOR ANY CORPORATE**
6 **PURPOSE IN ACCORDANCE WITH THIS TITLE OR AN ORDINANCE ADOPTED**
7 **UNDER THIS TITLE;**

8 (6) **INVEST MONEY OF THE AUTHORITY IN INSTRUMENTS,**
9 **OBLIGATIONS, SECURITIES, OR PROPERTY;**

10 (7) **ENTER INTO CONTRACTS AND EXECUTE THE INSTRUMENTS**
11 **OR AGREEMENTS NECESSARY OR CONVENIENT TO CARRY OUT THIS TITLE OR AN**
12 **ORDINANCE ADOPTED UNDER THIS TITLE TO ACCOMPLISH THEIR PURPOSES;**

13 (8) **SOLICIT AND ACCEPT GIFTS, GRANTS, LOANS, OR OTHER**
14 **ASSISTANCE IN ANY FORM FROM ANY PUBLIC OR PRIVATE SOURCE, SUBJECT TO**
15 **THE PROVISIONS OF THIS TITLE OR ANY ORDINANCE ADOPTED UNDER THIS**
16 **TITLE;**

17 (9) **PARTICIPATE IN ANY WAY IN A PROGRAM OF THE FEDERAL**
18 **GOVERNMENT, THE STATE, A POLITICAL SUBDIVISION OF THE STATE, OR AN**
19 **INTERGOVERNMENTAL ENTITY CREATED UNDER THE LAWS OF THE STATE;**

20 (10) **CONTRACT FOR GOODS AND SERVICES;**

21 (11) **STUDY, DEVELOP, AND PREPARE REPORTS OR PLANS TO**
22 **ASSIST IN THE AUTHORITY'S EXERCISE OF POWERS AND TO MONITOR AND**
23 **EVALUATE THE AUTHORITY'S PROGRESS;**

24 (12) **CONTRACT WITH PUBLIC OR PRIVATE ENTITIES FOR THE**
25 **PROVISION OF SERVICES NECESSARY FOR THE MANAGEMENT AND OPERATION**
26 **OF THE AUTHORITY;**

27 (13) **PROVIDE ACQUISITION, MANAGEMENT, AND SALE SERVICES**
28 **TO A COUNTY FOR COUNTY-OWNED PROPERTY;**

29 (14) **CREATE, OWN, CONTROL, OR BE A MEMBER OF A**
30 **CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER**
31 **PERSON, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT, FOR THE**

1 PURPOSES OF DEVELOPING PROPERTY IN ORDER TO MAXIMIZE
2 MARKETABILITY;

3 (15) EXERCISE A POWER USUALLY POSSESSED BY A PRIVATE
4 CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD
5 CONFLICT WITH STATE LAW; AND

6 (16) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT
7 THE POWERS EXPRESSLY GRANTED BY THIS TITLE OR BY AN ORDINANCE
8 ADOPTED UNDER THIS TITLE.

9 (C) AN AUTHORITY MAY DELEGATE TO A MEMBER OR OFFICER A POWER
10 GRANTED TO THE AUTHORITY BY THIS TITLE, INCLUDING THE POWER TO
11 EXECUTE A BOND, OBLIGATION, CERTIFICATE, DEED, LEASE, MORTGAGE
12 AGREEMENT, OR OTHER DOCUMENT OR INSTRUMENT.

13 **22-106.**

14 (A) AN AUTHORITY MAY:

15 (1) ACQUIRE, DIRECTLY OR THROUGH A PERSON OR
16 GOVERNMENTAL ENTITY, BY GIFT, DEVISE, TRANSFER, EXCHANGE,
17 FORECLOSURE, PURCHASE, OR OTHERWISE ON TERMS AND CONDITIONS AND IN
18 A MANNER THE AUTHORITY CONSIDERS PROPER, REAL PROPERTY OR RIGHTS
19 OR INTERESTS IN REAL PROPERTY;

20 (2) OWN IN THE AUTHORITY'S NAME PROPERTY ACQUIRED BY OR
21 CONVEYED TO THE AUTHORITY BY THE STATE, A FORECLOSING
22 GOVERNMENTAL UNIT, A LOCAL GOVERNMENT, AN INTERGOVERNMENTAL
23 AGENCY CREATED UNDER THE LAWS OF THIS STATE, OR ANY OTHER PUBLIC OR
24 PRIVATE PERSON, INCLUDING TAX FORECLOSED PROPERTY AND PROPERTY
25 WITHOUT CLEAR TITLE;

26 (3) SELL, LEASE AS LESSOR, TRANSFER, AND DISPOSE OF THE
27 AUTHORITY'S PROPERTY OR INTEREST IN PROPERTY;

28 (4) PROCURE INSURANCE AGAINST LOSS IN CONNECTION WITH
29 THE PROPERTY, ASSETS, OR ACTIVITIES OF THE AUTHORITY; AND

30 (5) EXECUTE DEEDS, MORTGAGES, CONTRACTS, LEASES,
31 PURCHASES, OR OTHER AGREEMENTS REGARDING THE PROPERTY OF THE
32 AUTHORITY.

1 **(B) PROPERTY PURCHASED, OWNED, OR SOLD UNDER THIS SECTION**
2 **MAY BE LOCATED OUTSIDE OF THE COUNTY IN WHICH THE AUTHORITY IS**
3 **LOCATED.**

4 **22-107.**

5 **AN AUTHORITY MAY EMPLOY STAFF AND RETAIN CONSULTANTS AS**
6 **EMPLOYEES OR AGENTS THAT THE AUTHORITY CONSIDERS NECESSARY AND SET**
7 **THEIR COMPENSATION.**

8 **22-108.**

9 **THE COURT MAY APPOINT AN AUTHORITY TO SERVE AS A RECEIVER IN A**
10 **RECEIVERSHIP PROCEEDING FILED BY A COUNTY.**

11 **22-109.**

12 **AN AUTHORITY SHALL:**

13 **(1) ADOPT A CODE OF ETHICS FOR THE AUTHORITY'S DIRECTORS,**
14 **OFFICERS, AND EMPLOYEES;**

15 **(2) ESTABLISH POLICIES AND PROCEDURES REQUIRING THE**
16 **DISCLOSURE OF RELATIONSHIPS THAT MAY GIVE RISE TO A CONFLICT OF**
17 **INTEREST, INCLUDING REQUIRING THAT ANY MEMBER OF THE BOARD WITH A**
18 **DIRECT OR INDIRECT INTEREST IN A MATTER BEFORE THE AUTHORITY**
19 **DISCLOSE THE MEMBER'S INTEREST TO THE BOARD BEFORE THE BOARD TAKES**
20 **ANY ACTION ON THE MATTER; AND**

21 **(3) COMPLY WITH:**

22 **(I) THE STATE OPEN MEETINGS ACT UNDER TITLE 10,**
23 **SUBTITLE 5 OF THE STATE GOVERNMENT ARTICLE; AND**

24 **(II) TITLE 10, SUBTITLE 6, PART III OF THE STATE**
25 **GOVERNMENT ARTICLE.**

26 **22-110.**

27 **(A) AN AUTHORITY MAY EXERCISE THE POWERS GRANTED TO THE**
28 **GOVERNING BODY OF A COUNTY UNDER §§ 14-825 THROUGH 14-831 OF THE**
29 **TAX - PROPERTY ARTICLE.**

30 **(B) AN AUTHORITY HAS THE SAME IMMUNITIES AS A COUNTY.**

1 **22-111.**

2 (A) AN AUTHORITY MAY, WITHOUT THE APPROVAL OF THE COUNTY IN
3 WHICH A PROPERTY IS LOCATED, HOLD, MANAGE, MAINTAIN, OPERATE, REPAIR,
4 LEASE AS LESSOR, SECURE, PREVENT THE WASTE OR DETERIORATION OF,
5 DEMOLISH, AND TAKE ALL OTHER ACTIONS NECESSARY TO PRESERVE THE
6 VALUE OF THE PROPERTY IT HOLDS OR OWNS.

7 (B) WITH RESPECT TO PROPERTY HELD OR OWNED BY THE AUTHORITY,
8 THE AUTHORITY MAY:

9 (1) GRANT OR ACQUIRE A LICENSE, EASEMENT, OR OPTION;

10 (2) FIX, CHARGE, AND COLLECT RENTS, FEES, AND CHARGES FOR
11 USE OF THE PROPERTY;

12 (3) PAY TAXES OR SPECIAL ASSESSMENTS DUE;

13 (4) TAKE ANY ACTION, PROVIDE ANY NOTICE, OR INSTITUTE ANY
14 PROCEEDING REQUIRED TO CLEAR OR QUIET TITLE IN ORDER TO ESTABLISH
15 OWNERSHIP BY AND VEST TITLE TO PROPERTY IN THE AUTHORITY; AND

16 (5) REMEDIATE ENVIRONMENTAL CONTAMINATION.

17 (C) AN AUTHORITY SHALL BE MADE A PARTY TO, AND SHALL DEFEND
18 ANY ACTION OR PROCEEDING CONCERNING, CLAIMS AGAINST PROPERTY HELD
19 BY THE AUTHORITY.

20 **22-112.**

21 (A) PROPERTY HELD BY AN AUTHORITY SHALL BE INVENTORIED AND
22 CLASSIFIED ACCORDING TO TITLE STATUS AND SUITABILITY FOR USE.

23 (B) A REGISTER OF DEEDS IN A COUNTY IN WHICH PROPERTY OWNED
24 BY AN AUTHORITY IS LOCATED MAY NOT CHARGE A FEE TO RECORD A
25 DOCUMENT EVIDENCING THE TRANSFER UNDER THIS TITLE OF PROPERTY TO
26 THE AUTHORITY BY THE STATE OR A COUNTY.

27 **22-113.**

28 (A) FOLLOWING AN UNSUCCESSFUL ATTEMPT ON THE PART OF THE
29 COUNTY TO COLLECT OUTSTANDING LIENS AT TAX SALE AND SUBJECT TO THE
30 APPROVAL OF THE LOCAL TAX COLLECTING UNIT OF THE JURISDICTION WHERE

1 THE PROPERTY IS LOCATED, AN AUTHORITY MAY ACCEPT FROM A PERSON WITH
2 AN INTEREST IN A PARCEL OF TAX DELINQUENT PROPERTY OR TAX SALE
3 PROPERTY A DEED OR ASSIGNMENT CONVEYING THAT PERSON'S INTEREST IN
4 THE PROPERTY INSTEAD OF:

5 (1) THE FORECLOSURE OR SALE OF THE PROPERTY FOR
6 DELINQUENT TAXES, PENALTIES, AND INTEREST, AS DEFINED BY § 14-801(C) OF
7 THE TAX - PROPERTY ARTICLE; OR

8 (2) DELINQUENT SPECIFIC TAXES LEVIED BY A COUNTY,
9 MUNICIPAL CORPORATION, OR OTHER TAXING JURISDICTION.

10 (B) EXCEPT AS OTHERWISE PROVIDED BY LAW, CONVEYANCE OF
11 PROPERTY BY DEED INSTEAD OF FORECLOSURE UNDER THIS SECTION MAY NOT
12 AFFECT OR IMPAIR ANY OTHER LIEN AGAINST THE PROPERTY OR ANY EXISTING
13 RECORDED OR UNRECORDED INTEREST IN THE PROPERTY, INCLUDING:

14 (1) FUTURE INSTALLMENTS OF SPECIAL ASSESSMENTS;

15 (2) LIENS RECORDED BY THE STATE;

16 (3) EASEMENTS OR RIGHTS-OF-WAY;

17 (4) PRIVATE DEED RESTRICTIONS;

18 (5) SECURITY INTERESTS AND MORTGAGES; OR

19 (6) TAX LIENS OF OTHER TAXING JURISDICTIONS OR A
20 FORECLOSING GOVERNMENTAL UNIT THAT DOES NOT CONSENT TO A RELEASE
21 OF THEIR LIENS.

22 (C) A TAX LIEN AGAINST PROPERTY HELD BY OR UNDER THE CONTROL
23 OF AN AUTHORITY MAY BE RELEASED OR ABATED AT ANY TIME BY ONE OR MORE
24 OF THE FOLLOWING:

25 (1) THE COUNTY OR MUNICIPAL CORPORATION WITH RESPECT
26 TO A LIEN HELD BY THE COUNTY OR MUNICIPAL CORPORATION;

27 (2) THE GOVERNING BODY OF ANY TAXING JURISDICTION OTHER
28 THAN THE STATE, COUNTY, OR MUNICIPAL CORPORATION WITH RESPECT TO A
29 LIEN HELD BY THE TAXING JURISDICTION;

1 (3) A FORECLOSING GOVERNMENTAL ENTITY WITH RESPECT TO A
2 TAX LIEN OR RIGHT TO COLLECT A TAX HELD BY THE FORECLOSING
3 GOVERNMENTAL ENTITY; OR

4 (4) THE STATE TREASURER WITH RESPECT TO A STATE TAX
5 LIEN.

6 **22-114.**

7 (A) MONEY RECEIVED BY AN AUTHORITY AS PAYMENT OF TAXES,
8 PENALTIES, OR INTEREST, OR FROM THE REDEMPTION OR SALE OF PROPERTY
9 SUBJECT TO A TAX LIEN OF ANY TAXING UNIT SHALL BE RETURNED TO THE
10 LOCAL TAX COLLECTING UNIT IN THE JURISDICTION WHERE THE PROPERTY IS
11 LOCATED FOR DISTRIBUTION ON A PRO RATA BASIS TO THE APPROPRIATE
12 TAXING UNITS IN AN AMOUNT EQUAL TO DELINQUENT TAXES, PENALTIES, AND
13 INTEREST OWED ON THE PROPERTY.

14 (B) PROCEEDS RECEIVED BY AN AUTHORITY MAY BE RETAINED BY THE
15 AUTHORITY FOR THE PURPOSES OF THIS TITLE, UNLESS OTHERWISE
16 DESIGNATED BY:

17 (1) THIS SUBTITLE;

18 (2) THE PROVISIONS OF A DEED;

19 (3) ANY OTHER LAW; OR

20 (4) AN AGREEMENT OF THE AUTHORITY.

21 **22-115.**

22 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN
23 AUTHORITY IS EXEMPT FROM ANY REQUIREMENT TO PAY STATE OR LOCAL
24 TAXES OR ASSESSMENTS ON THE AUTHORITY'S PROPERTIES, ACTIVITIES, OR
25 ANY REVENUE FROM THE PROPERTIES OR ACTIVITIES.

26 (B) PROPERTY THAT AN AUTHORITY SELLS OR LEASES TO A PRIVATE
27 ENTITY IS SUBJECT TO STATE AND LOCAL PROPERTY TAXES FROM THE TIME OF
28 THE SALE OR LEASE.

29 (C) THE PRINCIPAL OF AND INTEREST ON BONDS, THE TRANSFER OF
30 BONDS, AND ANY INCOME DERIVED FROM THE BONDS, INCLUDING PROFITS
31 MADE ON THEIR SALE OR TRANSFER, ARE FOREVER EXEMPT FROM ALL STATE
32 AND LOCAL TAXES.

1 **22-116.**

2 (A) AN AUTHORITY MAY BRING A CIVIL ACTION TO PREVENT, RESTRAIN,
3 OR ENJOIN THE WASTE OF OR UNLAWFUL REMOVAL OF ANY PROPERTY FROM
4 REAL PROPERTY HELD BY THE AUTHORITY.

5 (B) (1) AN AUTHORITY SHALL BE MADE A PARTY TO ANY ACTION OR
6 PROCEEDING INSTITUTED FOR THE PURPOSE OF SETTING ASIDE TITLE TO
7 PROPERTY HELD BY THE AUTHORITY OR FOR THE SALE OF PROPERTY BY THE
8 AUTHORITY.

9 (2) A HEARING IN ANY SUCH PROCEEDING MAY NOT BE HELD
10 UNTIL THE AUTHORITY IS SERVED WITH PROCESS AND PROPER PROOF OF
11 SERVICE IS FILED.

12 **22-117.**

13 (A) PROPERTY OF AN AUTHORITY IS PUBLIC PROPERTY DEVOTED TO AN
14 ESSENTIAL PUBLIC AND GOVERNMENTAL FUNCTION AND PURPOSE.

15 (B) INCOME OF AN AUTHORITY IS CONSIDERED TO BE FOR A PUBLIC
16 AND GOVERNMENTAL PURPOSE.

17 **22-118.**

18 AN AUTHORITY IS SUBJECT TO ANY LOCAL ZONING AND LAND USE
19 CONTROLS.

20 **22-119.**

21 AN AUTHORITY SHALL REPORT ANNUALLY TO THE COUNTY IN WHICH THE
22 AUTHORITY IS LOCATED ON THE ACTIVITIES OF THE AUTHORITY.

23 **SUBTITLE 2. BONDS.**

24 **22-201.**

25 (A) (1) AN AUTHORITY MAY PERIODICALLY:

26 (I) ISSUE BONDS TO PAY ALL OR PART OF THE COST OF
27 ACQUIRING OR IMPROVING PROPERTY;

28 (II) FUND OR REFUND THOSE BONDS;

1 **(III) PURCHASE BONDS WITH ANY FUNDS AVAILABLE; AND**

2 **(IV) HOLD, PLEDGE, CANCEL, OR RESELL BONDS.**

3 **(2) BY RESOLUTION, AN AUTHORITY MAY AUTHORIZE THE CHAIR,**
4 **ONE OF THE AUTHORITY'S MEMBERS, OR A COMMITTEE OF THE MEMBERS TO**
5 **DETERMINE OR PROVIDE FOR ANY MATTERS RELATING TO BONDS THAT THE**
6 **AUTHORITY CONSIDERS APPROPRIATE, INCLUDING:**

7 **(I) SPECIFYING, DETERMINING, PRESCRIBING, AND**
8 **APPROVING MATTERS, DOCUMENTS, AND PROCEDURES THAT RELATE TO THE**
9 **AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, AND PAYMENT OF AND**
10 **FOR THE BONDS;**

11 **(II) CREATING SECURITY FOR THE BONDS;**

12 **(III) PROVIDING FOR THE ADMINISTRATION OF BOND**
13 **ISSUES; AND**

14 **(IV) TAKING OTHER ACTIONS IT CONSIDERS APPROPRIATE**
15 **CONCERNING THE BONDS.**

16 **(3) THE POWER GRANTED IN PARAGRAPH (2) OF THIS**
17 **SUBSECTION IS IN ADDITION TO POWERS CONFERRED ON THE AUTHORITY BY**
18 **THIS TITLE AND DOES NOT LIMIT ANY POWER OF THE AUTHORITY UNDER THIS**
19 **TITLE.**

20 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
21 **THE AUTHORITY MAY AUTHORIZE THE EXECUTIVE DIRECTOR TO TAKE ANY OF**
22 **THE ACTIONS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION.**

23 **(II) IF THE AUTHORITY AUTHORIZES THE EXECUTIVE**
24 **DIRECTOR TO TAKE ANY OF THE ACTIONS DESCRIBED IN PARAGRAPH (2) OF**
25 **THIS SUBSECTION, THE AUTHORITY SHALL PRESCRIBE LIMITS WITHIN WHICH**
26 **THE EXECUTIVE DIRECTOR MAY EXERCISE DISCRETION.**

27 **(B) AN AUTHORITY MAY ISSUE THE BONDS AT ONE TIME OR IN ONE OR**
28 **MORE SERIES FROM TIME TO TIME.**

29 **(C) FOR EACH ISSUE OF AN AUTHORITY'S BONDS, THE AUTHORITY**
30 **SHALL PASS A RESOLUTION THAT:**

1 **(1) SPECIFIES AND DESCRIBES THE PROJECT FOR WHICH THE**
2 **PROCEEDS OF THE BOND ISSUANCE ARE INTENDED;**

3 **(2) GENERALLY DESCRIBES THE PUBLIC PURPOSE AND THE**
4 **FINANCING TRANSACTION TO BE ACCOMPLISHED;**

5 **(3) SPECIFIES THE MAXIMUM PRINCIPAL AMOUNT OF THE BONDS**
6 **THAT MAY BE ISSUED BY THE AUTHORITY; AND**

7 **(4) IMPOSES ANY TERMS OR CONDITIONS ON THE ISSUANCE AND**
8 **SALE OF THE BONDS THAT THE AUTHORITY CONSIDERS APPROPRIATE.**

9 **(D) SUBJECT TO ANY PROVISIONS FOR THEIR REGISTRATION, BONDS**
10 **ARE NEGOTIABLE INSTRUMENTS FOR ALL PURPOSES REGARDLESS OF**
11 **WHETHER THEY ARE PAYABLE FROM A SPECIAL FUND.**

12 **(E) (1) THE BONDS MAY BE:**

13 **(I) SERIAL BONDS;**

14 **(II) TERM BONDS; OR**

15 **(III) BOTH IN THE DISCRETION OF THE AUTHORITY.**

16 **(2) SUBJECT TO ANY DELEGATION UNDER SUBSECTION (A)(2) OF**
17 **THIS SECTION, THE RESOLUTION AUTHORIZING BONDS MAY PROVIDE:**

18 **(I) THE DATES OF THE BONDS;**

19 **(II) THE MATURITY DATES OF THE BONDS;**

20 **(III) THE INTEREST RATES ON THE BONDS;**

21 **(IV) THE TIME AT WHICH THE BONDS WILL BE PAYABLE;**

22 **(V) THE DENOMINATIONS OF THE BONDS;**

23 **(VI) WHETHER THE BONDS WILL BE IN COUPON OR**
24 **REGISTERED FORM;**

25 **(VII) ANY REGISTRATION PRIVILEGES OF THE BONDS;**

26 **(VIII) THE MANNER OF EXECUTION OF THE BONDS;**

1 (IX) THE PLACE AT WHICH THE BONDS WILL BE PAYABLE;
2 AND

3 (X) ANY TERMS OF REDEMPTION OF THE BONDS.

4 (3) THE BONDS SHALL MATURE WITHIN A PERIOD NOT TO
5 EXCEED 50 YEARS AFTER THE DATE OF ISSUE.

6 (4) THE BONDS SHALL BE PAYABLE IN UNITED STATES
7 CURRENCY.

8 (F) (1) AN AUTHORITY SHALL SELL THE BONDS AT COMPETITIVE OR
9 NEGOTIATED SALE IN A MANNER AND FOR A PRICE THE AUTHORITY
10 DETERMINES TO BE IN THE AUTHORITY'S BEST INTERESTS.

11 (2) BONDS ARE EXEMPT FROM §§ 8-206 AND 8-208 OF THE
12 STATE FINANCE AND PROCUREMENT ARTICLE.

13 (G) AN OFFICER'S SIGNATURE OR FACSIMILE ON A BOND REMAINS
14 VALID EVEN IF THE OFFICER LEAVES OFFICE BEFORE THE BOND IS DELIVERED.

15 (H) PENDING PREPARATION OF THE DEFINITIVE BONDS, AN AUTHORITY
16 MAY ISSUE INTERIM RECEIPTS OR CERTIFICATES THAT WILL BE EXCHANGED
17 FOR DEFINITIVE BONDS.

18 (I) (1) A TRUST AGREEMENT AUTHORIZING BONDS MAY CONTAIN
19 PROVISIONS THAT ARE PART OF THE CONTRACT WITH THE BONDHOLDERS.

20 (2) THE PROVISIONS MAY INCLUDE:

21 (I) PLEDGING THE FOLLOWING TO SECURE PAYMENT OF
22 BONDS, SUBJECT TO ANY EXISTING AGREEMENTS WITH BONDHOLDERS:

- 23 1. THE FULL FAITH AND CREDIT OF AN AUTHORITY;
- 24 2. REVENUES OF A PROJECT;
- 25 3. A REVENUE-PRODUCING CONTRACT THE
26 AUTHORITY HAS MADE WITH A PERSON OR PUBLIC ENTITY; OR
- 27 4. THE PROCEEDS OF THE SALE OF BONDS;

1 (II) THE RATES, RENTALS, FEES, AND OTHER CHARGES, THE
2 AMOUNTS TO BE RAISED IN EACH YEAR, AND THE USE AND DISPOSITION OF THE
3 REVENUES;

4 (III) SETTING ASIDE OF RESERVES AND SINKING FUNDS AND
5 THEIR DISPOSITION;

6 (IV) LIMITS ON THE RIGHT OF THE AUTHORITY OR THE
7 AUTHORITY'S AGENTS TO RESTRICT AND REGULATE THE USE OF A PROJECT;

8 (V) LIMITS ON THE PURPOSE TO WHICH THE PROCEEDS OF
9 SALE OF BONDS MAY BE APPLIED;

10 (VI) LIMITS ON ISSUING ADDITIONAL BONDS AND
11 REFUNDING BONDS AND THE TERMS UNDER WHICH ADDITIONAL BONDS MAY BE
12 ISSUED AND SECURED;

13 (VII) THE PROCEDURE TO AMEND OR ABROGATE THE TERMS
14 OF A CONTRACT WITH BONDHOLDERS AND THE REQUIREMENTS FOR CONSENT;

15 (VIII) LIMITS ON THE AMOUNT OF PROJECT REVENUES TO BE
16 EXPENDED FOR OPERATING, ADMINISTRATIVE, OR OTHER EXPENSES OF THE
17 AUTHORITY;

18 (IX) THE ACTS OR OMISSIONS THAT CONSTITUTE DEFAULT
19 BY THE AUTHORITY AND THE RIGHTS AND REMEDIES OF THE BONDHOLDERS IN
20 THE EVENT OF A DEFAULT;

21 (X) THE CONVEYANCE OR MORTGAGING OF A PROJECT AND
22 ITS SITE TO SECURE THE BONDHOLDERS; AND

23 (XI) CREATION AND DISPOSITION OF A COLLATERAL FUND
24 FOR THE PURPOSE OF SECURING THE BONDHOLDERS.

25 (J) THE MEMBERS OF AN AUTHORITY AND A PERSON EXECUTING THE
26 BONDS MAY NOT BE HELD LIABLE PERSONALLY ON THE BONDS.

27 **22-202.**

28 (A) THE CORPORATE TRUSTEE UNDER A TRUST AGREEMENT MAY BE A
29 TRUST COMPANY OR A BANK THAT HAS THE POWERS OF A TRUST COMPANY IN
30 OR OUTSIDE THE STATE.

1 **(B) AN EXPENSE INCURRED IN CARRYING OUT THE TRUST AGREEMENT**
2 **OR A RESOLUTION MAY BE TREATED AS PART OF THE COST OF THE OPERATION**
3 **OF A PROJECT.**

4 **22-203.**

5 **NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, IN A**
6 **PROCEEDING INVOLVING THE VALIDITY OR ENFORCEABILITY OF A BOND OR**
7 **THE SECURITY FOR A BOND, THE DETERMINATION OF AN AUTHORITY UNDER**
8 **THIS TITLE IS CONCLUSIVE AND BINDING.**

9 **22-204.**

10 **BONDS ARE SECURITIES:**

11 **(1) IN WHICH ANY OF THE FOLLOWING PERSONS MAY LEGALLY**
12 **AND PROPERLY INVEST MONEY, INCLUDING CAPITAL THAT THE PERSON OWNS**
13 **OR CONTROLS:**

14 **(I) AN OFFICER OR UNIT OF THE STATE OR A POLITICAL**
15 **SUBDIVISION;**

16 **(II) A BANK, TRUST COMPANY, SAVINGS AND LOAN**
17 **ASSOCIATION, INVESTMENT COMPANY, OR OTHER PERSON CONDUCTING A**
18 **BANKING BUSINESS;**

19 **(III) AN INSURANCE COMPANY, INSURANCE ASSOCIATION,**
20 **OR OTHER PERSON CONDUCTING AN INSURANCE BUSINESS;**

21 **(IV) A PERSONAL REPRESENTATIVE, GUARDIAN, TRUSTEE,**
22 **OR OTHER FIDUCIARY; AND**

23 **(V) ANY OTHER PERSON; AND**

24 **(2) THAT MAY BE DEPOSITED WITH AND RECEIVED BY A UNIT OF**
25 **THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FOR ANY PURPOSE FOR**
26 **WHICH THE DEPOSIT OF BONDS OR OBLIGATIONS OF THE STATE IS AUTHORIZED**
27 **BY LAW.**

28 **22-205.**

29 **(A) A BOND IS NOT:**

1 (1) A DEBT OR LIABILITY OF THE STATE OR A POLITICAL
2 SUBDIVISION OF THE STATE; OR

3 (2) A PLEDGE OF THE FAITH AND CREDIT OF THE STATE OR A
4 POLITICAL SUBDIVISION OF THE STATE.

5 (B) EACH BOND SHALL STATE ON THE FACE OF THE BOND THAT
6 NEITHER THE STATE NOR A POLITICAL SUBDIVISION OF THE STATE IS OBLIGED
7 TO PAY THE PRINCIPAL OF OR INTEREST ON THE BOND EXCEPT FROM
8 REVENUES PLEDGED TO THE PAYMENT OF THE BOND.

9 (C) THE ISSUANCE OF BONDS DOES NOT DIRECTLY, INDIRECTLY, OR
10 CONTINGENTLY OBLIGATE THE STATE OR ITS POLITICAL SUBDIVISIONS:

11 (1) TO LEVY OR PLEDGE A TAX TO PAY THE BONDS; OR

12 (2) TO MAKE AN APPROPRIATION TO PAY THE BONDS.

13 (D) NOTHING IN THIS TITLE PROHIBITS AN AUTHORITY FROM
14 PLEDGING ITS FULL FAITH AND CREDIT IN CONNECTION WITH THE ISSUANCE OF
15 BONDS.

16 **22-206.**

17 (A) AN AUTHORITY MAY:

18 (1) FIX AND COLLECT RATES, RENTS, FEES, AND CHARGES
19 RELATED TO A PROJECT AND FOR THE SERVICES RELATED TO A PROJECT; AND

20 (2) CONTRACT WITH ANY PERSON OR GOVERNMENTAL ENTITY TO
21 EXERCISE ITS AUTHORITY UNDER THIS SECTION.

22 (B) THE RATES, RENTS, FEES, AND CHARGES ESTABLISHED BY AN
23 AUTHORITY UNDER THIS SECTION SHALL BE FIXED AND ADJUSTED SO THAT THE
24 AGGREGATE AMOUNT OF THE RATES, RENTS, FEES, AND CHARGES FROM THE
25 PROJECT, WHEN ADDED TO OTHER AVAILABLE MONEY, IS SUFFICIENT TO:

26 (1) PAY FOR THE EXPENSES OF THE PROJECT;

27 (2) PAY THE PRINCIPAL OF AND THE INTEREST ON THE BONDS
28 THAT THE AUTHORITY ISSUED FOR THE PROJECT AS THEY BECOME DUE AND
29 PAYABLE; AND

1 **(3) CREATE AND MAINTAIN RESERVES REQUIRED OR PROVIDED**
2 **FOR IN A TRUST AGREEMENT.**

3 **(C) THE RATES, RENTS, FEES, AND CHARGES ESTABLISHED BY AN**
4 **AUTHORITY UNDER THIS SECTION ARE NOT SUBJECT TO SUPERVISION OR**
5 **REGULATION BY ANY UNIT OF THE STATE OTHER THAN THE AUTHORITY.**

6 **22-207.**

7 **(A) (1) ANY PLEDGE OF REVENUES AND OTHER MONEY UNDER §**
8 **22-201(I) OF THIS SUBTITLE IS VALID AND BINDING FROM THE TIME THE**
9 **PLEDGE IS MADE.**

10 **(2) (I) THE REVENUE OR MONEY THAT AN AUTHORITY**
11 **PLEDGES AND RECEIVES IS SUBJECT IMMEDIATELY TO THE LIEN OF THE**
12 **PLEDGE.**

13 **(II) NEITHER PHYSICAL DELIVERY OF THE REVENUE OR**
14 **MONEY NOR ANY OTHER ACT IS REQUIRED TO VALIDATE THE LIEN.**

15 **(3) THE LIEN OF THE PLEDGE IS VALID AND BINDING AGAINST**
16 **EACH PARTY WITH A CLAIM AGAINST THE AUTHORITY IN TORT, CONTRACT, OR**
17 **OTHERWISE, REGARDLESS OF WHETHER THE PARTY HAS NOTICE OF THE LIEN.**

18 **(B) THE TRUST AGREEMENT AND ANY OTHER AGREEMENT OR LEASE**
19 **CREATING A PLEDGE UNDER THIS SECTION NEED NOT BE FILED OR RECORDED,**
20 **EXCEPT IN THE RECORDS OF THE AUTHORITY.**

21 **22-208.**

22 **(A) PROCEEDS FROM THE SALE OF BONDS AND OTHER REVENUES**
23 **RECEIVED UNDER THIS TITLE ARE TRUST FUNDS TO BE HELD AND APPLIED**
24 **SOLELY AS PROVIDED IN THIS TITLE.**

25 **(B) (1) EACH OFFICER, BANK, OR TRUST COMPANY THAT RECEIVES**
26 **TRUST MONEY FROM AN AUTHORITY UNDER THIS TITLE SHALL ACT AS TRUSTEE**
27 **OF THE MONEY AND SHALL HOLD AND APPLY THE MONEY FOR THE PURPOSES**
28 **SPECIFIED UNDER THIS TITLE.**

29 **(2) THE OFFICER, BANK, OR TRUST COMPANY HOLDING MONEY IS**
30 **SUBJECT TO:**

31 **(I) ANY REGULATION ADOPTED UNDER THIS TITLE; AND**

1 **(II) THE RESOLUTION AUTHORIZING THE ISSUANCE OF**
2 **BONDS OR THE TRUST AGREEMENT.**

3 **22-209.**

4 **(A) (1) AN AUTHORITY MAY ISSUE BONDS TO REFUND OUTSTANDING**
5 **BONDS OF THE AUTHORITY, INCLUDING PAYING:**

6 **(I) ANY REDEMPTION PREMIUM;**

7 **(II) INTEREST ACCRUED OR TO ACCRUE TO THE DATE OF**
8 **REDEMPTION, PURCHASE, OR MATURITY OF THE BONDS; AND**

9 **(III) IF CONSIDERED ADVISABLE BY THE AUTHORITY, ANY**
10 **PART OF THE COST OF ACQUIRING OR IMPROVING PROPERTY AS PART OF A**
11 **PROJECT.**

12 **(2) REFUNDING BONDS MAY BE ISSUED FOR ANY CORPORATE**
13 **PURPOSE, INCLUDING:**

14 **(I) REALIZING SAVINGS IN THE EFFECTIVE COSTS OF DEBT**
15 **SERVICE, DIRECTLY OR THROUGH A DEBT RESTRUCTURING; OR**

16 **(II) ALLEVIATING A POTENTIAL OR ACTUAL DEFAULT.**

17 **(B) A REFUNDING BOND THAT AN AUTHORITY ISSUES UNDER THIS**
18 **SECTION SHALL BE ISSUED IN THE SAME MANNER AND IS SUBJECT TO THIS**
19 **TITLE TO THE SAME EXTENT AS ANY OTHER BOND.**

20 **(C) AN AUTHORITY MAY ISSUE REFUNDING BONDS IN ONE OR MORE**
21 **SERIES IN AN AMOUNT GREATER THAN THE AMOUNT OF THE BONDS TO BE**
22 **REFUNDED.**

23 **22-210.**

24 **(A) AN AUTHORITY MAY ISSUE NEGOTIABLE BOND ANTICIPATION**
25 **NOTES IN ANTICIPATION OF THE SALE OF BONDS FOR ANY CORPORATE**
26 **PURPOSE.**

27 **(B) BOND ANTICIPATION NOTES ISSUED UNDER THIS SECTION SHALL**
28 **BE ISSUED IN THE SAME MANNER AS BONDS.**

1 (C) **BOND ANTICIPATION NOTES ISSUED UNDER THIS SECTION AND THE**
2 **RESOLUTION AUTHORIZING THEM MAY CONTAIN ANY PROVISIONS, CONDITIONS,**
3 **OR LIMITATIONS THAT MAY BE INCLUDED IN A TRUST AGREEMENT.**

4 (D) **AN AUTHORITY MAY ISSUE BOND ANTICIPATION NOTES TO PAY ANY**
5 **OTHER BOND ANTICIPATION NOTES.**

6 (E) **BOND ANTICIPATION NOTES SHALL BE PAID FROM:**

7 (1) **REVENUES OF THE AUTHORITY;**

8 (2) **MONEY AVAILABLE AND NOT OTHERWISE PLEDGED; OR**

9 (3) **THE PROCEEDS OF THE SALE OF THE BONDS IN ANTICIPATION**
10 **OF WHICH THE NOTES WERE ISSUED.**

11 **22-211.**

12 (A) **AN AUTHORITY SHALL CONVEY TITLE TO PROPERTY RELATING TO A**
13 **PROJECT AND RELEASE COLLATERAL IN ACCORDANCE WITH THIS SECTION**
14 **WHEN THE FOLLOWING CONDITIONS ARE MET:**

15 (1) (I) **THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED TO**
16 **FINANCE THE PROJECT, INCLUDING ANY REFUNDING BONDS, HAVE BEEN FULLY**
17 **PAID AND RETIRED; OR**

18 (II) **ADEQUATE PROVISION HAS BEEN MADE TO FULLY PAY**
19 **AND RETIRE THE BONDS;**

20 (2) **ALL OTHER CONDITIONS OF THE TRUST AGREEMENT HAVE**
21 **BEEN SATISFIED; AND**

22 (3) **THE LIEN OF THE TRUST AGREEMENT HAS BEEN RELEASED.**

23 (B) **ON SATISFACTION OF THE CONDITIONS UNDER SUBSECTION (A) OF**
24 **THIS SECTION, AN AUTHORITY PROMPTLY SHALL EXECUTE ANY DEEDS,**
25 **CONVEYANCES, RELEASES, AND DOCUMENTS AND TAKE ANY OTHER ACTION**
26 **NECESSARY TO CONVEY TITLE TO THE PROPERTY AND RELEASE COLLATERAL**
27 **FREE OF ALL LIENS AND ENCUMBRANCES CREATED THROUGH THE AUTHORITY.**

28 **22-212.**

29 (A) **A BONDHOLDER, A HOLDER OF ANY COUPONS ATTACHED TO BONDS,**
30 **OR A TRUSTEE UNDER A TRUST AGREEMENT SECURING THE BONDS MAY SUE TO:**

1 **(1) PROTECT AND ENFORCE RIGHTS UNDER LAWS OF THE STATE**
2 **OR A TRUST AGREEMENT; AND**

3 **(2) ENFORCE AND COMPEL THE PERFORMANCE OF DUTIES BY AN**
4 **AUTHORITY OR ITS OFFICER, EMPLOYEE, OR AGENT THAT THIS TITLE OR A**
5 **TRUST AGREEMENT REQUIRES, INCLUDING FIXING AND COLLECTING RATES,**
6 **RENTS, FEES, AND CHARGES THAT THE TRUST AGREEMENT REQUIRES TO BE**
7 **FIXED AND COLLECTED.**

8 **(B) THE RIGHTS UNDER THIS SECTION ARE SUBJECT TO ANY TRUST**
9 **AGREEMENT.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2008.