

SENATE BILL 83

C8

11r0050

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)**

Introduced and read first time: January 20, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Affordable Housing Programs – Authority of Local Governments to Support**
3 **Programs – Sunset Repeal**

4 FOR the purpose of repealing the termination date for a certain provision of law
5 authorizing local governments to take certain actions to support, foster, or
6 promote an affordable housing program for individuals or families of low or
7 moderate income; and generally relating to the authority of local governments
8 to take action to support, foster, and promote affordable housing.

9 BY repealing and reenacting, without amendments,
10 Article 24 – Political Subdivisions – Miscellaneous Provisions
11 Section 21–101
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
15 Chapter 386 of the Acts of the General Assembly of 2008
16 Section 3

17 BY repealing and reenacting, with amendments,
18 Chapter 387 of the Acts of the General Assembly of 2008
19 Section 3

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

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

23 21–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 To support, foster, or promote an affordable housing program for individuals or
2 families of low or moderate income, a county or municipality may:

3 (1) Establish local trust funds or provide for the appropriation of
4 funds;

5 (2) Waive or modify building permit or development impact fees and
6 charges that are not mandated under State law for the construction or rehabilitation
7 of lower income housing units:

8 (i) In proportion to the number of lower income housing units of
9 a development; and

10 (ii) That are:

11 1. Financed, in whole or in part, by public funding that
12 requires mortgage restrictions or recorded covenants restricting the rental or sale of
13 the housing units to lower income residents in accordance with specific government
14 program requirements; or

15 2. Developed by a nonprofit organization that:

16 A. Has been exempt from federal taxation under §
17 501(c)(3) of the Internal Revenue Code for a period of at least 3 years; and

18 B. Requires the homebuyer to participate in the
19 construction or rehabilitation of the housing unit;

20 (3) Enact legislation that restricts cost and resale prices and requires
21 development of affordable housing units as part of any subdivision in return for added
22 density;

23 (4) Provide land or property from the inventory of the county or
24 municipality; and

25 (5) Support PILOT (payment in lieu of taxes) programs to encourage
26 construction of affordable housing.

27 **Chapter 386 of the Acts of 2008**

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2008. [It shall remain effective for a period of 3 years and, at the end of
30 September 30, 2011, with no further action required by the General Assembly, this Act
31 shall be abrogated and of no further force and effect.]

32 **Chapter 387 of the Acts of 2008**

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008. [It shall remain effective for a period of 3 years and, at the end of
3 September 30, 2011, with no further action required by the General Assembly, this Act
4 shall be abrogated and of no further force and effect.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 June 1, 2011.