

SENATE BILL 62

C8

3lr0007

(PRE-FILED)

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

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: January 22, 2013

CHAPTER _____

1 AN ACT concerning

2 **Community Legacy Program – Application Requirements – Approval by**
3 **Authorized Designee**

4 FOR the purpose of authorizing a political subdivision to approve an application to the
5 Department of Housing and Community Development for a sustainable
6 community plan or community legacy project by delivery of a letter, by a certain
7 authorized designee, expressing support for the plan or project; and generally
8 relating to the Department of Housing and Community Development and
9 approval of sustainable community plans and community legacy projects.

10 BY repealing and reenacting, with amendments,
11 Article – Housing and Community Development
12 Section 6–206
13 Annotated Code of Maryland
14 (2006 Volume and 2012 Supplement)

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

17 **Article – Housing and Community Development**

18 6–206.

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 (a) The Department shall:

2 (1) review each application and may request more information from
3 the sponsor;

4 (2) accept public input on each application;

5 (3) submit each application to appropriate State units and appropriate
6 members of the Smart Growth Subcabinet;

7 (4) consider any recommendation a State unit or member of the Smart
8 Growth Subcabinet makes;

9 (5) consider geographic balance when reviewing applications; and

10 (6) give priority in awarding financial assistance to applicants that are
11 likely to repay the financial assistance to a community development financial
12 institution or to the Community Legacy Financial Assistance Fund.

13 (b) (1) The Department may not approve an application unless the
14 political subdivision in which the proposed project is located approves the application
15 by [resolution]:

16 (I) RESOLUTION; OR

17 (II) LETTER, DELIVERED TO THE DEPARTMENT BY THE
18 POLITICAL SUBDIVISION'S AUTHORIZED DESIGNEE, EXPRESSING SUPPORT FOR
19 THE PLAN OR PROJECT.

20 (2) If an application affects a sustainable community entirely within a
21 municipal corporation, the approval must come from the municipal corporation rather
22 than the surrounding county.

23 (3) If an application affects a sustainable community within more than
24 one political subdivision, each political subdivision must approve it by [resolution]:

25 (I) RESOLUTION; OR

26 (II) LETTER, DELIVERED TO THE DEPARTMENT BY THE
27 POLITICAL SUBDIVISION'S AUTHORIZED DESIGNEE, EXPRESSING SUPPORT FOR
28 THE PLAN OR PROJECT.

29 (c) The Secretary shall award financial assistance to a sponsor or a sponsor's
30 designee:

31 (1) in the amount and of the type that the Secretary determines; and

1 (2) under the terms of a community legacy agreement.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.