

HOUSE BILL 33

C8

5lr0642

(PRE-FILED)

By: **Delegate Vitale**

Requested: November 19, 2014

Introduced and read first time: January 14, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Housing and Community Development – Community Development Projects and**
3 **Public Purpose Projects**

4 FOR the purpose of requiring the Community Development Administration to obtain
5 approval of the land use for a community development project or a public purpose
6 project by the appropriate governing body in a certain manner; requiring the
7 Administration to provide notice and an opportunity to comment to the appropriate
8 governing body rather than to certain officials; making certain technical changes;
9 and generally relating to community development projects and public purpose
10 projects.

11 BY repealing and reenacting, without amendments,
12 Article – Housing and Community Development
13 Section 4–101(b)
14 Annotated Code of Maryland
15 (2006 Volume and 2014 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Housing and Community Development
18 Section 4–213
19 Annotated Code of Maryland
20 (2006 Volume and 2014 Supplement)

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

23 **Article – Housing and Community Development**

24 4–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) "Administration" means the Community Development Administration.
2 4-213.

3 (a) In accordance with regulations that the Secretary adopts, an agreement that
4 the Administration makes to carry out its functions and responsibilities under §§ 4-211,
5 4-214, and 4-225 through 4-235 of this subtitle shall be approved by:

6 (1) the Secretary; and

7 (2) the Board of Public Works, if its approval is required by law.

8 (b) The Administration shall:

9 (1) provide written notice and a reasonable opportunity to comment to the
10 [chief executive officer or the equivalent officer and the head or president of the legislative
11 body] **APPROPRIATE GOVERNING BODY** of the political subdivision in which a proposed
12 community development project or a public purpose project is located; **AND**

13 (2) **OBTAIN APPROVAL OF THE LAND USE FOR THE PROJECT BY**
14 **RESOLUTION OF THE APPROPRIATE GOVERNING BODY.**

15 (c) [If the proposed project is located in a municipal corporation, the notice
16 required under subsection (b) of this section shall be sent to the chief executive officer and
17 head or president of the legislative body of the municipal corporation and not to the county.

18 (d) A project that the Administration finances is subject to applicable zoning and
19 building codes.

20 [(e)] (D) (1) This subsection applies notwithstanding any other provision of
21 this subtitle or other State law.

22 (2) In exercising its functions and responsibilities, the Administration may
23 sell or lease for a term not exceeding 99 years all or part of the real, mixed, or personal
24 property constituting a community development project **OR PUBLIC PURPOSE PROJECT.**

25 (3) A sale or lease under this section may be made:

26 (i) without public bidding or public sale; and

27 (ii) on terms and conditions that make housing in that development
28 economically feasible for families of limited income.

29 (4) A sale or lease under this section shall conform with a plan for
30 community development that the Secretary approves at a public hearing held after notice

1 is published in at least one newspaper of general circulation in the political subdivision in
2 which the development is located.

3 (5) The plan for community development presented at the hearing shall be
4 in accordance with regulations that the Secretary adopts, requiring:

5 (i) a description of the property;

6 (ii) a statement of the identity of the proposed purchaser or lessee
7 and the proposed use or reuse of the property;

8 (iii) the price or rental to be paid by the purchaser or lessee; and

9 (iv) the conditions of the sale or lease that ensure that the community
10 development purposes of this subtitle will be carried out.

11 [(f)] (E) In carrying out this subtitle, the Administration shall comply with local
12 laws applicable to the community development project **OR PUBLIC PURPOSE PROJECT**.

13 [(g)] (F) (1) In carrying out this subtitle, the Administration shall:

14 (i) foster local initiative and participation in community
15 development activities; and

16 (ii) consider local and regional goals and policies as expressed in
17 urban renewal, community renewal, and local comprehensive land use plans and regional
18 plans.

19 (2) Wherever possible, the Administration shall carry out community
20 development projects **OR PUBLIC PURPOSE PROJECTS** together with and through the use
21 of:

22 (i) private enterprise;

23 (ii) limited dividend corporations;

24 (iii) local development agencies; and

25 (iv) local development entities.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2015.