

HB0326/700319/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 326

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “assistance;” insert “requiring the Department to reserve a certain amount of money to make financial assistance available to certain projects located in sustainable communities;”; and in line 28, after “circumstances;” insert “declaring the intent of the General Assembly; requiring the Department to report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 9, strike in their entirety lines 6 through 23, inclusive, and substitute:

“6–206.

(b) (1) The Department SHALL PROVIDE WRITTEN NOTICE TO THE POLITICAL SUBDIVISION IN WHICH THE PROPOSED PROJECT IS LOCATED.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE DEPARTMENT may not approve an application unless the political subdivision in which the proposed project is located approves the application by:

(i) resolution; or

(ii) letter, delivered to the Department by the political subdivision’s authorized designee, expressing support for the plan or project.

~~[(2)]~~ (3) If an application affects a sustainable community entirely within a municipal corporation, the approval must come from the municipal corporation rather than the surrounding county.

(Over)

HB0326/700319/1 Environment and Transportation Committee
Amendments to HB 326
Page 2 of 5

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

(i) resolution; or

(ii) letter, delivered to the Department by the political subdivision's authorized designee, expressing support for the plan or project.

(5) IF THE DEPARTMENT DOES NOT RECEIVE NOTICE OF APPROVAL OR DENIAL OF AN APPLICATION FROM THE AFFECTED JURISDICTIONS WITHIN 45 DAYS AFTER NOTICE OF THE PROPOSED PROJECT IS GIVEN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY APPROVE THE APPLICATION.

On page 12, in line 19, after "Program;" insert "AND"; strike in their entirety lines 20 through 23, inclusive; in line 24, strike "**(4)**" and substitute "**(3)**"; and in line 26, after "(c)" insert "**(1) THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE TO THE POLITICAL SUBDIVISION IN WHICH THE PROPOSED PROJECT IS LOCATED.**"

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT MAY NOT APPROVE AN APPLICATION UNLESS THE POLITICAL SUBDIVISION IN WHICH THE PROPOSED PROJECT IS LOCATED APPROVES THE APPLICATION BY:

(I) RESOLUTION; OR

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

(3) IF THE DEPARTMENT DOES NOT RECEIVE NOTICE OF APPROVAL OR DENIAL OF AN APPLICATION FROM THE AFFECTED JURISDICTIONS WITHIN 45 DAYS AFTER NOTICE OF THE PROPOSED PROJECT IS GIVEN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY APPROVE THE APPLICATION.

(D)".

On page 17, strike in their entirety lines 1 through 17, inclusive, and substitute:

“(c) (1) The DEPARTMENT SHALL PROVIDE WRITTEN NOTICE TO THE POLITICAL SUBDIVISION IN WHICH THE PROPOSED PROJECT IS LOCATED.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE Department may not approve a proposal submitted under this section unless the proposal is approved by the governing body or authorized designee of:

(i) each county that includes any of the priority funding area that benefits from the project, if the project is not in a municipal corporation;

(ii) each municipal corporation that includes any of the priority funding area that benefits from the project; or

(iii) each political subdivision that includes any of the priority funding area that benefits from the project, if the priority funding area is partly within and partly outside of any municipal corporation.

[(2)] (3) An approval shall:

(i) be in writing; and

(Over)

**HB0326/700319/1 Environment and Transportation Committee
Amendments to HB 326
Page 4 of 5**

(ii) state the maximum amount of contributions to the approved project that are eligible for a tax credit under § 6–404 of this subtitle.

(4) IF THE DEPARTMENT DOES NOT RECEIVE NOTICE OF APPROVAL OR DENIAL OF AN APPLICATION FROM THE AFFECTED JURISDICTIONS WITHIN 45 DAYS AFTER NOTICE OF THE PROPOSED PROJECT IS GIVEN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY APPROVE THE APPLICATION.

[3] (5) The sum of contributions eligible for a tax credit under § 6–404 of this subtitle for all approved projects for a fiscal year may not exceed \$3,500,000.

AMENDMENT NO. 3

On page 13, after line 7, insert:

“(E) THE DEPARTMENT SHALL RESERVE AT LEAST THE LESSER OF \$5,000,000 OR THE ANNUAL CAPITAL APPROPRIATION FOR THE FUND TO MAKE FINANCIAL ASSISTANCE AVAILABLE TO PROJECTS LOCATED IN SUSTAINABLE COMMUNITIES.”

AMENDMENT NO. 4

On page 17, after line 17, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in implementing this Act the Department of Housing and Community Development fund, to the greatest extent possible, a number of business projects located in sustainable communities that is comparable to the number of business projects located in priority funding areas outside sustainable communities.

HB0326/700319/1 Environment and Transportation Committee
Amendments to HB 326
Page 5 of 5

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 31, 2018, the Department of Housing and Community Development shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2-1246 of the State Government Article, on the financial assistance provided to business projects after the effective date of this Act, including:

- (1) the total number of projects assisted and applications received;
- (2) the amount and type of financial assistance provided by the Department including the Maryland Housing Fund and the Community Development Administration;
- (3) the amount of financial assistance provided in sustainable communities and priority funding areas; and
- (4) information on each project, including location, recipient's name, and the amount of financial assistance received from each program.”;

and in line 18, strike “3.” and substitute “5.”.