

# SENATE BILL 957

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CF 7lr2202

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By: **Senator Eckardt**

Introduced and read first time: February 3, 2017

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Counties and Municipalities – Land Bank Authorities**

3 FOR the purpose of altering certain provisions of law concerning the authority of a  
4 municipality to establish a land bank authority; making certain provisions of law  
5 concerning the establishment of a land bank authority applicable to a municipality  
6 or county; authorizing two or more local governments to enter into a certain  
7 intergovernmental cooperation agreement; providing for the continued operation of  
8 an authority under certain circumstances; establishing certain powers of an  
9 authority; authorizing an authority to enforce a water and sewer lien under certain  
10 circumstances; providing for the tax treatment of property sold by an authority to a  
11 nonprofit organization under certain circumstances; exempting property held by an  
12 authority from a certain requirement to sell; authorizing the Mayor and City Council  
13 of Baltimore City to transfer property to an authority under certain circumstances;  
14 exempting property held by an authority from certain taxes under certain  
15 circumstances; altering and defining certain terms; making certain conforming  
16 changes; and generally relating to land bank authorities.

17 BY renumbering

18 Article – Local Government

19 Section 5–401 through 5–431, respectively, and the subtitle “Subtitle 4.  
20 Establishment of Land Bank Authorities by Municipalities”

21 to be Section 1–1401 through 1–1431, respectively, and the subtitle “Subtitle 14.  
22 Establishment of Land Bank Authorities by Municipalities”

23 Annotated Code of Maryland

24 (2013 Volume and 2016 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Local Government

27 Section 1–1401, 1–1403, 1–1405, 1–1406, 1–1408, 1–1409, 1–1410, 1–1412, 1–1413,  
28 1–1414, 1–1415, 1–1419, and 1–1426(a)(1) to be under the amended subtitle  
29 “Subtitle 14. Establishment of Land Bank Authorities”

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
 2 (2013 Volume and 2016 Supplement)  
 3 (As enacted by Section 1 of this Act)

4 BY repealing and reenacting, with amendments,  
 5 Article – Tax – Property  
 6 Section 14–808(a), 14–824, 14–826, and 14–831  
 7 Annotated Code of Maryland  
 8 (2012 Replacement Volume and 2016 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 10 That Section(s) 5–401 through 5–431, respectively, and the subtitle “Subtitle 4.  
 11 Establishment of Land Bank Authorities by Municipalities” of Article – Local Government  
 12 of the Annotated Code of Maryland be renumbered to be Section(s) 1–1401 through 1–1431,  
 13 respectively, and the subtitle “Subtitle 14. Establishment of Land Bank Authorities by  
 14 Municipalities”.

15 SECTION 2. BE IT FURTHER ENACTED BY THE GENERAL ASSEMBLY OF  
 16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Local Government**

18 Subtitle 14. Establishment of Land Bank Authorities [by Municipalities].  
 19 1–1401.

20 (a) In this subtitle the following words have the meanings indicated.

21 (b) “Authority” means a nonprofit or quasi–governmental entity created by [a  
 22 municipality] **ONE OR MORE LOCAL GOVERNMENTS** under § [5–403] **1–1403** of this  
 23 subtitle.

24 (c) “Board” means the board of directors of an authority.

25 (d) (1) “Bond” means a bond issued by an authority under this subtitle.

26 (2) “Bond” includes a bond, a refunding bond, a note, and any other  
 27 obligation.

28 (e) “Cost” includes:

29 (1) the purchase price of property;

30 (2) the cost to acquire any right, title, or interest in property;

31 (3) the cost of any improvements made to property;

1 (4) the amount to be paid to discharge each obligation necessary or  
2 desirable to vest title to any part of property in an authority or other owner;

3 (5) the cost of any property, right, easement, franchise, or permit  
4 associated with a project;

5 (6) the cost of labor, machinery, and equipment necessary to implement a  
6 project;

7 (7) financing charges;

8 (8) interest and reserves for principal and interest and for improvements;

9 (9) the cost of revenue and cost estimates, engineering and legal services,  
10 plans, specifications, studies, surveys, and other expenses necessary or incident to  
11 determining the feasibility or practicability of a project;

12 (10) administrative expenses; and

13 (11) other expenses as necessary or incident to:

14 (i) financing a project;

15 (ii) acquiring and improving a project;

16 (iii) placing a project in operation, including reasonable provisions for  
17 working capital; and

18 (iv) operating and maintaining a project.

19 (f) **“LOCAL GOVERNMENT” MEANS A MUNICIPALITY OR A COUNTY.**

20 (G) (1) “Project” means any organized plan carried out by an authority in  
21 relation to:

22 (i) acquiring and rehabilitating abandoned and dilapidated  
23 properties; and

24 (ii) marketing and leasing [or], selling, **OR OTHERWISE**  
25 **TRANSFERRING** the rehabilitated properties.

26 (2) “Project” includes:

27 (i) acquiring land or an interest in land;

28 (ii) acquiring structures, equipment, and furnishings located on a  
29 property;

1 (iii) acquiring property that is functionally related and subordinate  
2 to a project; and

3 (iv) obtaining or contracting for any services necessary for the  
4 rehabilitation of a property.

5 **[(g)] (H)** (1) “Revenue” means the income, revenue, and other money an  
6 authority receives from or in connection with a project and all other income of an authority.

7 (2) “Revenue” includes grants, rentals, rates, fees, and charges.

8 **[(h)] (I)** “Tax sale property” means property or an interest in property sold by  
9 the tax collector of the county in accordance with Title 14, Subtitle 8, Part III of the Tax –  
10 Property Article.

11 **[(i)] (J)** (1) “Trust agreement” means an agreement entered into by an  
12 authority to secure a bond.

13 (2) “Trust agreement” includes a bond contract, bond resolution, or other  
14 contract with or for the benefit of a bondholder.

15 **(K) “WATER AND SEWER AUTHORITY” MEANS AN AUTHORITY ESTABLISHED**  
16 **UNDER TITLE 9, SUBTITLE 9 OF THE ENVIRONMENT ARTICLE.**

17 **(L) “WATER AND SEWER LIEN” MEANS A LIEN ESTABLISHED UNDER § 9-949**  
18 **OF THE ENVIRONMENT ARTICLE.**

19 1-1403.

20 (a) **(1)** By ordinance, the [legislative] **GOVERNING** body of a [municipality]  
21 **LOCAL GOVERNMENT** may establish a land bank authority in accordance with this  
22 subtitle.

23 **(2) TWO OR MORE LOCAL GOVERNMENTS MAY ELECT TO ENTER INTO**  
24 **AN INTERGOVERNMENTAL COOPERATION AGREEMENT TO CREATE A SINGLE LAND**  
25 **BANK TO ACT ON BEHALF OF THE LOCAL GOVERNMENTS, WHICH MAY INCLUDE ONE**  
26 **OR MORE WATER AND SEWER AUTHORITIES.**

27 **(3) AN ORDINANCE ADOPTED UNDER THIS SECTION:**

28 **(I) IS ADMINISTRATIVE IN NATURE;**

29 **(II) IS NOT SUBJECT TO REFERENDUM; AND**

1                   **(III) IN A CHARTER COUNTY THAT HAS A PUBLICLY ELECTED**  
2 **COUNTY EXECUTIVE OR IN A MUNICIPALITY THAT HAS A PUBLICLY ELECTED CHIEF**  
3 **EXECUTIVE OR MAYOR, IS SUBJECT TO APPROVAL BY THE COUNTY EXECUTIVE,**  
4 **CHIEF EXECUTIVE, OR MAYOR.**

5           (b) An ordinance adopted under subsection (a) of this section shall include  
6 proposed articles of incorporation of an authority that state:

7                   (1) the name of the authority, which shall be “Land Bank Authority of  
8 (name of the incorporating [municipality] **LOCAL GOVERNMENT**)”;

9                   (2) that the authority is formed under this subtitle;

10                  (3) the names, addresses, and terms of office of the initial members of the  
11 board;

12                  (4) the address of the principal office of the authority;

13                  (5) the purposes for which the authority is formed; and

14                  (6) the powers of the authority, subject to the limitations of this subtitle.

15           (c) (1) The chief executive, **COUNTY EXECUTIVE, OR MAYOR** of the  
16 incorporating [municipality] **LOCAL GOVERNMENT**, or any other official designated in the  
17 ordinance establishing an authority, shall execute and file the articles of incorporation of  
18 the authority for recordation with the State Department of Assessments and Taxation.

19                  (2) When the State Department of Assessments and Taxation accepts the  
20 articles of incorporation for recordation, the authority becomes a body politic and corporate  
21 and an instrumentality of the incorporating [municipality] **LOCAL GOVERNMENT**.

22                  (3) Acceptance of the articles of incorporation for recordation by the State  
23 Department of Assessments and Taxation is conclusive evidence of the formation of the  
24 authority.

25           (d) (1) By ordinance, the [legislative] **GOVERNING** body of the incorporating  
26 [municipality] **LOCAL GOVERNMENT** may adopt an amendment to the articles of  
27 incorporation of an authority.

28                  (2) Articles of amendment may contain any provision that lawfully could  
29 be contained in articles of incorporation at the time of the amendment.

30                  (3) The articles of amendment shall be filed for recordation with the State  
31 Department of Assessments and Taxation.

1 (4) The articles of amendment are effective as of the time the State  
2 Department of Assessments and Taxation accepts the articles for recordation.

3 (5) Acceptance of the articles of amendment for recordation by the State  
4 Department of Assessments and Taxation is conclusive evidence that the articles have been  
5 lawfully and properly adopted.

6 (e) (1) Subject to this section and any limitations imposed by law on the  
7 impairment of contracts, the incorporating [municipality] LOCAL GOVERNMENT, in its  
8 sole discretion, by ordinance may:

9 (i) set or change the structure, organization, procedures, programs,  
10 or activities of an authority; or

11 (ii) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**  
12 terminate the authority.

13 **(2) IF ONE OR MORE LOCAL GOVERNMENTS ENGAGED IN AN**  
14 **INTERGOVERNMENTAL COOPERATION AGREEMENT DECIDE NOT TO TERMINATE**  
15 **THE AUTHORITY, THE AUTHORITY MAY CONTINUE TO OPERATE IF:**

16 **(I) THE NAME OF THE AUTHORITY IS REVISED TO REMOVE THE**  
17 **LOCAL GOVERNMENT THAT HAS DECIDED TO TERMINATE ITS PARTICIPATION IN THE**  
18 **AUTHORITY BY WITHDRAWAL;**

19 **(II) THE WITHDRAWING LOCAL GOVERNMENT DESIGNATES ALL**  
20 **PROPERTY TO REMAIN WITH THE AUTHORITY EXCEPT THAT:**

21 **1. ON DEMAND OF A WITHDRAWING LOCAL**  
22 **GOVERNMENT THAT IS A MUNICIPALITY, ALL PROPERTY LOCATED WHOLLY WITHIN**  
23 **THE MUNICIPALITY SHALL BE TRANSFERRED TO THE MUNICIPALITY; AND**

24 **2. ON DEMAND OF A WITHDRAWING LOCAL**  
25 **GOVERNMENT THAT IS A COUNTY, ALL PROPERTY LOCATED WHOLLY WITHIN THE**  
26 **COUNTY AND OUTSIDE ANY MUNICIPALITY PARTICIPATING IN THE**  
27 **INTERGOVERNMENTAL COOPERATION AGREEMENT SHALL BE TRANSFERRED TO**  
28 **THE COUNTY; AND**

29 **(III) ALL OBLIGATIONS OF THE AUTHORITY TO THE**  
30 **WITHDRAWING LOCAL GOVERNMENT AND OF THE WITHDRAWING LOCAL**  
31 **GOVERNMENT TO THE AUTHORITY ARE ASSUMED BY THE WITHDRAWING LOCAL**  
32 **GOVERNMENT.**

33 **[(2)] (3) On termination of the authority:**

1 (i) title to all property of the authority shall be transferred to and  
2 shall vest in the incorporating [municipality] **LOCAL GOVERNMENT**; and

3 (ii) all obligations of the authority shall be transferred to and  
4 assumed by the incorporating [municipality] **LOCAL GOVERNMENT**.

5 1–1405.

6 (a) Except as limited by the authority’s articles of incorporation, an authority has  
7 all the powers specified in this subtitle.

8 (b) An authority may:

9 (1) adopt, **AMEND, AND REPEAL** bylaws for the conduct of business of the  
10 authority;

11 (2) sue and be sued;

12 (3) maintain an office at a place the authority designates;

13 (4) borrow money;

14 (5) issue bonds and other obligations for any corporate purpose in  
15 accordance with this subtitle or an ordinance adopted under this subtitle;

16 (6) invest money of the authority in instruments, obligations, securities, or  
17 property;

18 (7) enter into contracts and execute the instruments or agreements  
19 necessary or convenient to carry out this subtitle or an ordinance adopted under this  
20 subtitle to accomplish the purposes of the authority;

21 (8) solicit and accept gifts, grants, loans, or other assistance in any form  
22 from any public or private source, subject to this subtitle or any ordinance adopted under  
23 this subtitle;

24 (9) participate in a program of the federal government, the State, a political  
25 subdivision of the State, or an intergovernmental entity created under State law;

26 (10) contract for goods and services;

27 (11) study, develop, and prepare reports or plans to assist in the authority’s  
28 exercise of powers and to monitor and evaluate the authority’s progress;

29 (12) contract with public or private entities for services necessary to manage  
30 and operate the authority;

1 (13) provide acquisition, management, and sale services to a [municipality]  
2 **LOCAL GOVERNMENT** for property owned by the [municipality] **LOCAL GOVERNMENT**;

3 (14) create, own, control, or be a member of a corporation, limited liability  
4 company, partnership, or other person, whether operated for profit or not for profit, for the  
5 purposes of developing property in order to maximize marketability;

6 (15) exercise a power usually possessed by a private corporation in  
7 performing similar functions, unless to do so would conflict with State law; [and]

8 **(16) INSURE AGAINST LOSSES IN CONNECTION WITH THE REAL**  
9 **PROPERTY, ASSETS, OR ACTIVITY OF THE AUTHORITY;**

10 **(17) DESIGN, DEVELOP, CONSTRUCT, DEMOLISH, REHABILITATE,**  
11 **RENOVATE, RELOCATE, AND OTHERWISE IMPROVE REAL PROPERTY OR INTERESTS**  
12 **IN REAL PROPERTY;**

13 **(18) RAISE REVENUE BY ANY LEGAL MEANS REQUIRED TO MAKE THE**  
14 **OPERATIONS AND ACTIVITIES OF THE AUTHORITY SELF-SUSTAINING; AND**

15 ~~(16)~~ **(19)** do all things necessary or convenient to carry out the powers  
16 expressly granted by this subtitle or by an ordinance adopted under this subtitle.

17 (c) An authority may delegate to a member or officer a power granted to the  
18 authority by this subtitle, including the power to execute a bond, obligation, certificate,  
19 deed, lease, mortgage agreement, or other document or instrument.

20 1-1406.

21 (a) An authority may:

22 (1) acquire real property or rights or interests in real property, directly or  
23 through a person or governmental entity, by gift, devise, transfer, exchange, foreclosure,  
24 purchase, or otherwise on terms and conditions and in a manner the authority considers  
25 proper;

26 (2) own property in the authority's name, including tax foreclosed property  
27 and property without clear title;

28 (3) sell, lease as lessor, transfer, and dispose of the authority's interest in  
29 property;

30 (4) procure insurance against loss in connection with the property, assets,  
31 or activities of the authority; and



1           (5) execute deeds, mortgages, contracts, leases, purchases, or other  
2 agreements regarding the property of the authority.

3           (b) Property purchased, owned, or sold under this section may not be located  
4 outside the [municipality] JURISDICTION OF THE LOCAL GOVERNMENT in which the  
5 authority is located.

6           (c) AN AUTHORITY MAY CLEAR TITLE OR FORECLOSE ON A PROPERTY IN  
7 WHICH IT HOLDS AN INTEREST THAT IS NOT FEE SIMPLE TITLE BY:

8                   (1) CONDUCTING AN EXAMINATION OF TITLE TO DETERMINE THE  
9 IDENTITY OF ANY PERSON POSSESSING A CLAIM OR INTEREST IN THE PROPERTY;

10                   (2) SERVING A COMPLAINT TO QUIET TITLE ON ANY PERSON  
11 IDENTIFIED IN ITEM (1) OF THIS SUBSECTION BY:

12                           (i) REGISTERED OR CERTIFIED MAIL TO AN ADDRESS  
13 DETERMINED BY THE EXAMINATION OF PUBLIC RECORDS;

14                           (ii) POSTING A COPY OF THE NOTICE ON THE PROPERTY;

15                           (iii) PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION  
16 IN THE LOCAL GOVERNMENT JURISDICTION IN WHICH THE PROPERTY IS LOCATED;

17                           (iv) IN CASES OF OCCUPIED PROPERTY, REGISTERED OR  
18 CERTIFIED MAIL ADDRESSED TO "OCCUPANT" AT THE ADDRESS; AND

19                           (v) ANY OTHER METHOD ORDERED BY A COURT OF COMPETENT  
20 JURISDICTION; AND

21                   (3) FILING AN AFFIDAVIT IDENTIFYING ALL PARTIES POTENTIALLY  
22 HAVING AN INTEREST IN THE PROPERTY AND THE FORM OF NOTICE PROVIDED.

23           (d) (1) ON RECEIPT OF A COMPLAINT AUTHORIZED BY SUBSECTION (c)  
24 OF THIS SECTION, THE COURT SHALL SCHEDULE A HEARING WITHIN 90 DAYS.

25                   (2) THE COURT SHALL ISSUE A FINAL JUDGMENT WITHIN 120 DAYS  
26 OF THE FILING OF A COMPLAINT UNDER THIS SECTION IN ANY MATTER FOR WHICH  
27 AN ANSWER WAS NOT FILED.

28           (e) AN AUTHORITY MAY JOIN IN A SINGLE COMPLAINT TO QUIET TITLE OR  
29 FORECLOSE ON ONE OR MORE PARCELS OF REAL PROPERTY.

1 The court may appoint an authority to serve as a receiver in a receivership  
2 proceeding filed by a [municipality] **LOCAL GOVERNMENT**.

3 1–1409.

4 (a) An authority shall:

5 (1) adopt a code of ethics for the authority’s directors, officers, and  
6 employees;

7 (2) establish policies and procedures requiring:

8 (i) the disclosure of relationships that may create a conflict of  
9 interest; and

10 (ii) any member of the board with a direct or indirect interest in a  
11 matter before the authority to disclose the member’s interest to the board before the board  
12 takes any action on the matter; and

13 (3) comply with the Open Meetings Act.

14 (b) Except as otherwise provided in this subtitle or the ordinance establishing an  
15 authority, the procedures of the incorporating [municipality] **LOCAL GOVERNMENT**  
16 control any matter relating to the internal administration of an authority.

17 1–1410.

18 An authority may have the same immunities as [a municipality] **THE LOCAL**  
19 **GOVERNMENT THAT CREATES THE AUTHORITY UNDER § 1–1403 OF THIS SUBTITLE**.

20 1–1412.

21 (a) Property held by an authority shall be inventoried and classified according to  
22 title status and suitability for use.

23 (b) A clerk of the court may not charge a fee to record a document evidencing the  
24 transfer under this subtitle of property to the authority by the State or a [municipality]  
25 **LOCAL GOVERNMENT**.

26 1–1413.

27 (a) **(1)** After an unsuccessful attempt by the [municipality] **LOCAL**  
28 **GOVERNMENT** to collect outstanding liens at tax sale and subject to the approval of the  
29 **WATER AND SEWER AUTHORITY, GOVERNING BODY, OR** tax collector of the jurisdiction  
30 where the property is located, an authority may accept from a person with an interest in a

1 parcel of **WATER AND SEWER LIEN PROPERTY**, tax delinquent property, or tax sale  
 2 property a deed or assignment conveying that person's interest in the property instead of:

3           **[(1)] (I)** the foreclosure or sale of the property for delinquent taxes,  
 4 penalties, and interest, as defined by § 14–801(d) of the Tax – Property Article; **[or]**

5           **[(2)] (II)** delinquent–specific taxes imposed by a local taxing jurisdiction;  
 6 **OR**

7                           **(III) DELINQUENT WATER AND SEWER LIENS IMPOSED BY A**  
 8 **WATER AND SEWER AUTHORITY.**

9           **(2) (I) AFTER AN UNSUCCESSFUL ATTEMPT BY THE LOCAL**  
 10 **GOVERNMENT OR WATER AND SEWER AUTHORITY TO COLLECT OUTSTANDING LIENS**  
 11 **THAT ARE DELINQUENT AND AT THE DISCRETION OF THE GOVERNING BODY OF THE**  
 12 **JURISDICTION, THE WATER AND SEWER AUTHORITY, OR THE TAX COLLECTOR**  
 13 **WHERE THE PROPERTY IS LOCATED, AN AUTHORITY MAY ACCEPT FROM THE LOCAL**  
 14 **GOVERNMENT OR WATER AND SEWER AUTHORITY WITH AN INTEREST IN A PARCEL**  
 15 **OF DELINQUENT WATER AND SEWER LIEN PROPERTY, TAX DELINQUENT PROPERTY,**  
 16 **OR TAX SALE PROPERTY ITS INTEREST IN THE WATER AND SEWER LIENS OR TAX**  
 17 **LIENS IN THE PROPERTY.**

18                           **(II) THE AUTHORITY MAY:**

19                           **1. COLLECT ON LIENS OR TAXES COLLECTED UNDER**  
 20 **SUBPARAGRAPH (I) OF THIS PARAGRAPH AND RETAIN ALL PAYMENT OF TAXES,**  
 21 **LIENS, PENALTIES, OR ANY INTEREST ON THE LIENS OR TAXES; OR**

22                           **2. FORECLOSE ON, ENTER INTO A DEED IN LIEU OF**  
 23 **FORECLOSURE, OR SELL THE PROPERTY FOR THE LIENS OR TAXES AND RETAIN ALL**  
 24 **PAYMENT OF TAXES, PENALTIES, OR INTEREST ON THE LIENS OR TAXES AND THE**  
 25 **COSTS OF SELLING THE PROPERTY AND, IF ANY OTHER NET PROCEEDS REMAIN**  
 26 **FROM THE SALE, RETURN ANY NET PROCEEDS TO THE TAX COLLECTOR FOR**  
 27 **DISTRIBUTION ON A PRO RATA BASIS TO THE APPROPRIATE TAXING UNITS AND**  
 28 **WATER AND SEWER AUTHORITIES IN A RATIO EQUAL TO THE DELINQUENT TAXES OR**  
 29 **WATER AND SEWER LIENS, PENALTIES, AND INTEREST OWED ON THE PROPERTY.**

30           (b) Conveyance of property by deed instead of foreclosure **OR TRANSFER OF A**  
 31 **LIEN OR TAX ON PROPERTY** under this section may not affect or impair any other lien  
 32 against the property or any existing recorded or unrecorded interest in the property,  
 33 including any:

34                           (1) easement or right–of–way;

- 1 (2) future installment of a special assessment;
- 2 (3) lien recorded by the State;
- 3 (4) private deed restriction;
- 4 (5) security interest or mortgage; [or]
- 5 (6) tax lien of another taxing jurisdiction that does not consent to a release  
6 of its lien; **OR**

7 **(7) WATER AND SEWER LIEN OF A WATER AND SEWER AUTHORITY**  
8 **THAT DOES NOT CONSENT TO A RELEASE OF ITS LIEN.**

9 (c) A tax lien **OR WATER AND SEWER LIEN** against property held by or under  
10 the control of an authority may be released or abated at any time by:

- 11 (1) a [county or municipality] **LOCAL GOVERNMENT** with respect to a lien  
12 held by the [county or municipality] **LOCAL GOVERNMENT**;
- 13 (2) the governing body of any taxing jurisdiction other than the State,  
14 county, or municipality with respect to a lien held by the taxing jurisdiction;
- 15 (3) a public water or sewer authority with respect to a tax lien, **WATER**  
16 **AND SEWER LIEN**, or right to collect a tax held by the public water or sewer authority; or
- 17 (4) the Comptroller with respect to a State tax lien.

18 1-1414.

19 (a) **[Money] EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS**  
20 **SECTION, MONEY** received by an authority as payment of taxes, penalties, **WATER AND**  
21 **SEWER LIENS**, or interest, or from the redemption or sale of property subject to a tax lien  
22 of any taxing unit, shall be returned to the tax collector in the jurisdiction where the  
23 property is located for distribution on a pro rata basis to the appropriate taxing units in an  
24 amount equal to delinquent taxes, penalties, and interest owed on the property.

25 (b) Proceeds received by an authority may be retained by the authority for the  
26 purposes of this subtitle, unless otherwise designated by:

- 27 (1) an agreement of the authority;
- 28 (2) the provisions of a deed;
- 29 (3) this subtitle; or

1 (4) any other law.

2 (C) MONEY RECEIVED BY AN AUTHORITY AS PAYMENT OF WATER AND  
3 SEWER LIENS, TAXES, PENALTIES, OR INTEREST, OR FROM THE REDEMPTION OR  
4 SALE OF PROPERTY SUBJECT TO A TAX LIEN OF ANY TAXING UNIT MAY BE RETAINED  
5 BY AN AUTHORITY UNDER A WRITTEN AGREEMENT WITH A LOCAL GOVERNMENT OR  
6 A LAW ENACTED BY THE LEGISLATIVE BODY OF A LOCAL GOVERNMENT.

7 (D) (1) TO FACILITATE A TRANSFER OF REAL PROPERTY TO AN  
8 AUTHORITY, THE GOVERNING BODY FOR THE JURISDICTION WHERE THE REAL  
9 PROPERTY IS LOCATED MAY RELEASE ANY LIENS FOR UNPAID REAL PROPERTY  
10 TAXES OR OTHER CHARGES AND ASSESSMENTS IMPOSED BY THE GOVERNING BODY  
11 TO WHICH THE PROPERTY WOULD BE OTHERWISE SUBJECT, IF:

12 (I) 1. THE TOTAL AMOUNT OF LIENS FOR UNPAID REAL  
13 PROPERTY TAXES, CHARGES, AND ASSESSMENTS IMPOSED WITH RESPECT TO THE  
14 PROPERTY EXCEEDS THE LESSER OF THE TOTAL VALUE OF THE LAND AND ANY  
15 IMPROVEMENT ON THE LAND AS LAST DETERMINED BY THE TAX ASSESSOR OF THE  
16 GOVERNING BODY OR AS DETERMINED BY AN APPRAISAL REPORT PREPARED, NOT  
17 MORE THAN 6 MONTHS BEFORE THE REQUEST FOR THE RELEASE OF THE LIEN, BY A  
18 REAL ESTATE APPRAISER WHO IS LICENSED UNDER TITLE 16 OF THE BUSINESS  
19 OCCUPATIONS AND PROFESSIONS ARTICLE;

20 2. THE TAX COLLECTOR FOR THE LOCAL GOVERNMENT  
21 HAS UNSUCCESSFULLY ATTEMPTED TO SELL THE REAL PROPERTY IN A TAX SALE  
22 UNDER TITLE 14, SUBTITLE 8 OF THE TAX – PROPERTY ARTICLE; OR

23 3. THE TAX COLLECTOR FOR THE LOCAL GOVERNMENT  
24 HAS SOLD THE REAL PROPERTY AT A TAX SALE UNDER TITLE 14, SUBTITLE 8 OF THE  
25 TAX – PROPERTY ARTICLE, BUT THE PROPERTY HAS NOT BEEN REDEEMED OR THE  
26 TAX SALE CERTIFICATE HAS BECOME VOID;

27 (II) THE CODE ENFORCEMENT OFFICE, HOUSING DEPARTMENT,  
28 OR EQUIVALENT DEPARTMENT OR AGENCY OF THE LOCAL GOVERNMENT OF THE  
29 JURISDICTION WHERE THE TAX LIEN IS HELD CERTIFIES THAT THE PROPERTY:

30 1. IS A VACANT LOT; OR

31 2. HAS A BUILDING OR STRUCTURE THAT IS:

32 A. VACANT; AND

33 B. UNSAFE OR UNFIT FOR HABITATION; AND

1                   **(III) THE AUTHORITY FINDS THAT A TRANSFER UNDER THIS**  
2 **SECTION IS NECESSARY:**

3                   **1. TO ELIMINATE A BLIGHTING INFLUENCE; AND**

4                   **2. TO PREVENT THE TAX ABANDONMENT OF A**  
5 **PROPERTY.**

6                   **(2) THE RELEASE OF A LIEN FOR REAL PROPERTY TAXES, CHARGES,**  
7 **OR ASSESSMENTS AS AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION**  
8 **DOES NOT ABATE THE TRANSFEROR'S LIABILITY FOR THE REMAINING AMOUNT OF**  
9 **THE TAX DEBT.**

10                  **(3) THE GOVERNING BODY OF A JURISDICTION MAY SET ADDITIONAL**  
11 **STANDARDS AND REQUIREMENTS FOR APPROVAL OF THE RELEASE OF LIENS UNDER**  
12 **THIS SECTION.**

13 1-1415.

14                  (a) An authority is exempt from any State or local tax or assessment on the  
15 authority's properties or activities or on any revenue from the properties or activities.

16                  (b) **[Property] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**  
17 **PROPERTY** that an authority sells or leases to a private entity is subject to State and local  
18 property taxes from the time of the sale or lease.

19                  (c) The principal of and interest on bonds, the transfer of bonds, and any income  
20 derived from the bonds, including profits made on their sale or transfer, are exempt from  
21 all State and local taxes.

22                  **(D) SALE OR LEASE TO A NONPROFIT ORGANIZATION, AS DEFINED IN §**  
23 **1-101 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, IS EXEMPT**  
24 **FROM STATE AND LOCAL PROPERTY TAXES FROM THE TIME OF SALE OR LEASE, IF:**

25                  **(1) THE NONPROFIT ORGANIZATION HAS ENTERED INTO AN**  
26 **AGREEMENT WITH AN AUTHORITY TO REDEVELOP THE PROPERTY; AND**

27                  **(2) THE AGREEMENT IS IN FORCE AND EFFECT AND NOT DEFAULTED**  
28 **ON WITHIN THE APPLICATION PERIOD.**

29 1-1419.

1 An authority shall report annually on the activities of the authority to the  
2 [municipality] **LOCAL GOVERNMENT** where the authority is located and, in accordance  
3 with § 2–1246 of the State Government Article, the General Assembly.

4 1–1426.

5 (a) (1) any pledge of revenues and other money under § [5–420(i)] **1–1420(I)**  
6 of this subtitle is valid and binding from the time the pledge is made.

### 7 **Article – Tax – Property**

8 14–808.

9 (a) **[The] EXCEPT FOR PROPERTY THAT HAS BEEN TRANSFERRED BY A**  
10 **MUNICIPALITY OR COUNTY TO A LAND BANK AUTHORITY ESTABLISHED UNDER §**  
11 **1–1403 OF THE LOCAL GOVERNMENT ARTICLE, THE** collector shall proceed to sell and  
12 shall sell under this subtitle, at the time required by local law but in no case, except in  
13 Baltimore City, later than 2 years from the date the tax is in arrears, all property in the  
14 county in which the collector is elected or appointed on which the tax is in arrears. The  
15 collector is required to sell, but failure of the collector to sell within the 2–year period does  
16 not affect the validity or collectability of any tax, or the validity of any sale thereafter made.

17 14–824.

18 (a) Except as provided in subsection (b) of this section, the governing body of a  
19 county or other taxing agency shall buy in and hold any property in their respective  
20 counties offered for sale for nonpayment of any taxes for which there is no private  
21 purchaser.

22 (b) The Mayor and City Council of Baltimore City may:

23 **(1)** buy in and hold any abandoned property for which there is no private  
24 purchaser for the amount of the minimum bid set pursuant to § 14–817(c)(2) of this subtitle;  
25 **OR**

26 **(2) TRANSFER ANY ABANDONED PROPERTY TO A LAND BANK**  
27 **AUTHORITY ESTABLISHED UNDER § 1–1403 OF THE LOCAL GOVERNMENT ARTICLE**  
28 **OF WHICH BALTIMORE CITY IS A MEMBER.**

29 (c) The governing body of the county, **A LAND BANK AUTHORITY ESTABLISHED**  
30 **UNDER § 1–1403 OF THE LOCAL GOVERNMENT ARTICLE OF WHICH THE COUNTY IS**  
31 **A MEMBER**, and other taxing agency have the same rights and remedies with regard to the  
32 property as other purchasers, including the right to foreclose the right of redemption.

1 (d) A certificate of sale in the form provided in this subtitle shall be issued by the  
2 collector in the name of the Mayor and City Council of Baltimore City or the governing body  
3 of the county or other taxing agency.

4 14-826.

5 When any property on which there are unpaid taxes due to any other taxing agency  
6 or to the State is purchased by the governing body of the county at a sale held by the  
7 collector under this subtitle, **OR AFTER BEING PURCHASED IS TRANSFERRED TO A**  
8 **LAND BANK AUTHORITY ESTABLISHED UNDER § 1-1403 OF THE LOCAL**  
9 **GOVERNMENT ARTICLE, NEITHER** the governing body of the county **NOR AN**  
10 **AUTHORITY** need [not] make and the collector or other taxing agency or the State is not  
11 entitled to demand immediate payment of the taxes due another taxing agency or the State.  
12 On the resale of the property by the governing body of the county **OR AUTHORITY**, unless  
13 the property is redeemed by the owner in accordance with § 14-827 of this subtitle, or on  
14 the sale by the governing body of the county of a certificate of sale under § 14-825 of this  
15 subtitle, **OTHER THAN TO AN AUTHORITY OF WHICH THE GOVERNING BODY IS A**  
16 **MEMBER**, the governing body of the county **OR THE AUTHORITY** shall pay to the other  
17 taxing agency and to the State the proportion of the proceeds of sale as the taxes due the  
18 other taxing agency or the State bear to the total amount of taxes due the State, the county,  
19 and all other taxing agencies, after deducting the cost of sale and all other expenses  
20 connected with the sale.

21 14-831.

22 Until a judgment is issued by the circuit court that forecloses all rights of redemption  
23 in any property sold by the collector, the property shall continue to be assessed as though  
24 no sale had been made, whether the governing body of the county or some other person  
25 holds the certificate of sale. Once the judgment is passed, the property shall be transferred  
26 on the assessment books or records to the holder of the certificate of sale notwithstanding  
27 the provisions of § 3-104 of the Real Property Article. After the transfer, the property shall  
28 be assessed to the holder of the certificate of sale for property tax purposes. All taxes  
29 accruing after the date of sale, together with interest and penalties on the taxes, are  
30 additional liens against the property and on passage of the final decree, are immediately  
31 due and payable by the holder of the certificate of sale except as provided under § 14-826  
32 of this subtitle. The collector may not deliver a deed to the person entitled to the deed until  
33 all subsequent taxes, together with interest and penalties on the taxes, are paid in full. If  
34 the governing body of a county **OR A LAND BANK AUTHORITY ESTABLISHED UNDER §**  
35 **1-1403 OF THE LOCAL GOVERNMENT ARTICLE** is a holder of the certificate of sale, the  
36 collector shall deliver a deed for property purchased at tax sale by the governing body of  
37 the county even though taxes are unpaid, the provisions of § 3-104 of the Real Property  
38 Article and § 14-847 of this subtitle notwithstanding.

39 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
40 October 1, 2017.