

Chapter 147

(House Bill 241)

AN ACT concerning

Housing and Community Development – Just Community Designation

FOR the purpose of authorizing the Governor, on the recommendation of the Secretary of Housing and Community Development, to designate certain areas as Just Communities based on certain criteria; providing for the prioritization of State funding for Just Communities; and generally relating to Just Communities.

BY adding to

Article – Housing and Community Development

Section 6–1201 through 6–1203 to be under the new subtitle “Subtitle 12. Just Community Designation”

Annotated Code of Maryland

(2019 Replacement Volume and 2023 Supplement)

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

Article – Housing and Community Development

SUBTITLE 12. JUST COMMUNITY DESIGNATION.

6–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “JUST COMMUNITY” MEANS THE PART OF A PRIORITY FUNDING AREA THAT, AS DETERMINED BY THE GOVERNOR, SATISFIES THE REQUIREMENTS OF § 6–1203 OF THIS SUBTITLE.

(C) “PRIORITY FUNDING AREA” MEANS AN AREA DESIGNATED AS A PRIORITY FUNDING AREA UNDER § 5–7B–02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

6–1202.

(A) THE GENERAL ASSEMBLY FINDS THAT THE STATE MUST HAVE JUST COMMUNITIES IN ORDER TO:

(1) AFFIRMATIVELY ADVANCE EQUITY, CIVIL RIGHTS, RACIAL JUSTICE, AND EQUAL OPPORTUNITY IN THE STATE;

(2) CREATE OPPORTUNITIES FOR THE IMPROVEMENT OF COMMUNITIES THAT HAVE BEEN HISTORICALLY UNDERSERVED, WITH ANTICIPATED BENEFITS FOR THE ENTIRE STATE; AND

(3) RIGHT THE WRONGS OF THE PAST, WHEN THE STATE SYSTEMATICALLY EXCLUDED CERTAIN GROUPS FROM EQUAL PARTICIPATION IN THE BENEFITS OF PUBLIC RESOURCES.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE JUST COMMUNITY DESIGNATION BE USED TO PRIORITIZE STATE FUNDING TO INCREASE RACIAL, ECONOMIC, AND HEALTH EQUITY IN THE STATE.

6-1203.

(A) THE GOVERNOR, ON THE RECOMMENDATION OF THE SECRETARY, MAY DESIGNATE AN AREA AS A JUST COMMUNITY IF THE SECRETARY DEMONSTRATES THAT:

(1) PAST AND CURRENT TRENDS IN HOMEOWNERSHIP, PROPERTY VALUES, COMMERCIAL AND RESIDENTIAL VACANCY, AND BUSINESS OR HOUSING INVESTMENT SHOW A NEED FOR REINVESTMENT IN THE AREA; AND

(2) THE AREA HAS BEEN NEGATIVELY IMPACTED BY A HISTORY OF:

(I) FORMS OF LEGAL RACIAL SEGREGATION INCLUDING REDLINING, EXCLUSIONARY ZONING, OR RACIALLY RESTRICTIVE COVENANTS;

(II) THE DEMOLITION OF RESIDENTIAL NEIGHBORHOODS THROUGH THE USE OF EMINENT DOMAIN OR STATE OR FEDERAL FUNDING;

(III) A STATE IMPRISONMENT RATE HIGHER THAN 750 PER 100,000 PERSONS; OR

(IV) UNEQUAL EXPOSURE TO ENVIRONMENTAL AND HEALTH HAZARDS, INCLUDING:

1. PROXIMITY TO A FEDERAL SUPERFUND SITE;

2. ESTIMATED EXPOSURE TO LEAD-BASED PAINT; AND

3. RATES OF ASTHMA AMONG ADULTS THAT ARE HIGHER THAN THE 90TH PERCENTILE FOR THE STATE.

(B) TO MAINTAIN A JUST COMMUNITY DESIGNATION, EVERY 5 YEARS THE SECRETARY SHALL MAKE DESIGNATION RECOMMENDATIONS FOR APPROVAL BY THE GOVERNOR IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

(C) AT THE TIME JUST COMMUNITIES ARE DESIGNATED OR RENEWED, THE GOVERNOR SHALL IDENTIFY STATE PROGRAMS UNDER WHICH A JUST COMMUNITY SHALL RECEIVE PRIORITY FOR STATE FUNDING.

(D) THE PRIORITIZATION OF STATE FUNDING FOR JUST COMMUNITIES UNDER SUBSECTION (C) OF THIS SECTION SHALL NOT SUPERSEDE OTHER PROGRAM REQUIREMENTS SPECIFIED IN STATE LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 25, 2024.