

HOUSE BILL 1224

C9
HB 838/23 – APP

4r3055
CF SB 953

By: **Delegates McCaskill and Henson**

Introduced and read first time: February 8, 2024

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Housing – Community Development Program Act – Funding**

3 FOR the purpose of requiring the Comptroller to distribute certain funds to the Community
4 Development Program Fund under certain circumstances; repealing a certain
5 provision providing for the construction of the Community Development Program
6 Act; and generally relating to the Community Development Program Act.

7 BY repealing and reenacting, without amendments,
8 Article – Commercial Law
9 Section 17–101(a) and (c)
10 Annotated Code of Maryland
11 (2013 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Commercial Law
14 Section 17–317
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2023 Supplement)
17 (As enacted by Chapters 495, 496, and 641 of the Acts of the General Assembly of
18 2023)

19 BY repealing and reenacting, with amendments,
20 Article – Housing and Community Development
21 Section 6–606
22 Annotated Code of Maryland
23 (2019 Replacement Volume and 2023 Supplement)

24 BY repealing
25 Chapter 801 of the Acts of the General Assembly of 2018
26 Section 2

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing
2 Chapter 802 of the Acts of the General Assembly of 2018
3 Section 2

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

6 **Article – Commercial Law**

7 17–101.

8 (a) In this title the following words have the meanings indicated.

9 (c) “Administrator” means the State Comptroller.

10 17–317.

11 (a) (1) (i) All funds received under this title, including the proceeds of the
12 sale of abandoned property under § 17–316 of this subtitle, shall be credited by the
13 Administrator to a special fund.

14 (ii) The Administrator shall retain in the special fund at the end of
15 each fiscal year, from the proceeds received, an amount not to exceed \$50,000, from which
16 sum the Administrator shall pay any claim allowed under this title.

17 (2) After deducting all costs incurred in administering this title from the
18 remaining net funds the Administrator shall distribute:

19 **(I) \$8,000,000 to the Maryland Legal Services Corporation Fund**
20 **established under § 11–402 of the Human Services Article; AND**

21 **(II) \$5,000,000 TO THE COMMUNITY DEVELOPMENT PROGRAM**
22 **FUND ESTABLISHED UNDER § 6–606 OF THE HOUSING AND COMMUNITY**
23 **DEVELOPMENT ARTICLE.**

24 (3) (i) Subject to subparagraph (ii) of this paragraph, the Administrator
25 shall distribute all unclaimed money from judgments of restitution under Title 11, Subtitle
26 6 of the Criminal Procedure Article to the State Victims of Crime Fund established under
27 § 11–916 of the Criminal Procedure Article to assist victims of crimes and delinquent acts
28 to protect the victims’ rights as provided by law.

29 (ii) If a victim entitled to restitution that has been treated as
30 abandoned property under § 11–614 of the Criminal Procedure Article is located after the
31 money has been distributed under this paragraph, the Administrator shall reduce the next
32 distribution to the State Victims of Crime Fund by the amount recovered by the victim.

1 (4) For each of fiscal years 2024 through 2027, after making the
2 distributions required under paragraphs (2) and (3) of this subsection, the Administrator
3 shall distribute \$14,000,000 from the remaining net funds to the Access to Counsel in
4 Evictions Special Fund under § 8–909 of the Real Property Article.

5 (5) After making the distributions required under paragraphs (2), (3), and
6 (4) of this subsection, the Administrator shall distribute the remaining net funds not
7 retained under paragraph (1) of this subsection to the General Fund of the State.

8 (b) (1) Before making the distribution, the Administrator shall record the
9 name and last known address, if any, of the owners of funds so distributed and the type of
10 property which the funds distributed represent.

11 (2) The record shall be available for public inspection during reasonable
12 business hours by any person who claims a legal interest in any property held by the
13 Administrator, provided that the person gives prior notice to the Administrator.

14 Article – Housing and Community Development

15 6–606.

16 (a) There is a Community Development Fund.

17 (b) The purpose of the Fund is to provide financial assistance for community
18 development projects and community development organizations around the State.

19 (c) The Department shall administer the Fund with the assistance of the Board.

20 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
21 the State Finance and Procurement Article.

22 (2) The State Treasurer shall hold the Fund separately, and the
23 Comptroller shall account for the Fund.

24 (e) The Fund consists of:

25 (1) money appropriated in the State budget to the Fund;

26 (2) **ANY MONEY DISTRIBUTED TO THE FUND UNDER § 17–317 OF THE**
27 **COMMERCIAL LAW ARTICLE;** and

28 **[(2)] (3)** any other money from any other source accepted for the benefit
29 of the Fund.

30 (f) The Fund may be used only for:

1 (1) administrative expenses of the Department in administering the
2 Program; and

3 (2) financial assistance for community development projects and
4 community development organizations as provided under § 6–607 of this subtitle.

5 (g) (1) The State Treasurer shall invest the money of the Fund in the same
6 manner as other State money may be invested.

7 (2) Any interest earnings of the Fund shall be credited to the General Fund
8 of the State.

9 (h) Expenditures from the Fund may be made only in accordance with the State
10 budget.

11 (i) Money expended from the Fund for the Program is supplemental to and is not
12 intended to take the place of funding that otherwise would be appropriated for the Program.

13 **Chapter 801 of the Acts of 2018**

14 [SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
15 construed to require the Department of Housing and Community Development to provide
16 staff or operating expenses for the administration of the Community Development Program
17 established under Section 1 of this Act until money is appropriated in the State budget for
18 the Community Development Fund.]

19 **Chapter 802 of the Acts of 2018**

20 [SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
21 construed to require the Department of Housing and Community Development to provide
22 staff or operating expenses for the administration of the Community Development Program
23 established under Section 1 of this Act until money is appropriated in the State budget for
24 the Community Development Fund.]

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
26 1, 2024.