

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 424 (Montgomery County Delegation)
Environment and Transportation Education, Energy, and the Environment

Montgomery County - Housing Opportunities Commission - Alterations
MC 3-24

This bill repeals the requirement that the Housing Opportunities Commission (HOC) of Montgomery County (1) hold a public hearing on any assisted family housing it proposes; (2) report in writing the findings and conclusions from the hearing; and (3) give notice of the hearing 15 days prior to the hearing by display advertisement in two newspapers of general circulation in the county. The bill also repeals the requirement that HOC publish a summary of its annual financial report in at least two newspapers of general circulation in the county.

Fiscal Summary

State Effect: None. The bill applies only to Montgomery County.

Local Effect: The bill is not anticipated to materially affect Montgomery County operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law:

Housing Opportunities Commission of Montgomery County

HOC is the public housing agency for Montgomery County. Established in 1974, the commission administers federal, State, county, and private affordable housing programs.

In addition, it develops housing; provides mortgage financing to developers and first-time homebuyers; manages public housing and other rental units; administers rental subsidy programs (including the Housing Choice Voucher Program); and provides counseling and support services to lower income individuals and families in assisted housing.

Generally, HOC must hold a public hearing on any assisted family housing it proposes and report in writing the findings and conclusions from the hearing. At least 15 days before the hearing, HOC must give notice of the hearing by a display advertisement in two newspapers of general circulation in the county. However, this requirement does not apply to proposed scattered sites and specified moderate priced dwelling units.

By November 30 each year, HOC must issue a financial report for the previous fiscal year based on a certified audit. HOC must publish a summary of the financial report in at least two newspapers of general circulation in the county. By December 15 each year, HOC must publish on its website (1) the financial report and (2) a full and complete copy of the certified audit report for the previous fiscal year.

HOC must publish all information in a public record that relates to a financial report or a certified audit report of which HOC is not specifically required to deny an inspection under the Public Information Act (PIA).

Public Information Act – Generally

PIA establishes that all persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees. Each governmental unit that maintains public records must identify a representative whom a member of the public may contact to request a public record. The Office of the Attorney General (OAG) must post all such contact information on its website and in any *Public Information Act Manual* published by OAG. Among other things, PIA establishes procedures for the inspection of public records, the denial of public records, the denial of a part of a public record, and the process to resolve disputes regarding the denial of public records, as specified.

Open Meetings Act – Generally

Under Maryland's Open Meetings Act, with limited exceptions, a public body must (1) meet in open session in places reasonably accessible to potential attendees and (2) provide reasonable advance notice of the time and location of meetings, including, when appropriate, whether any portion of a meeting will be in closed session. A "public body" is any entity that (1) consists of at least two individuals and (2) is created by the Maryland Constitution; a State statute; a county or municipal charter; a memorandum of understanding or a master agreement to which a majority of the county boards of education

and the Maryland State Department of Education are signatories; an ordinance; a rule, resolution, or bylaw; or an executive order of the Governor or of the chief executive authority of a political subdivision. Exclusions from the definition of “public body” include juries, the Governor’s cabinet and Executive Council, judicial nominating commissions, and single-member entities, among others.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Montgomery County; Department of Housing and Community Development; Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2024
km/mcr Third Reader - March 18, 2024

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