

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL NO. 1321

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

“Economic Development - Maryland Industrial Land Act and Industrial and Commercial  
Redevelopment Fund”;

strike beginning with “creating” in line 3 down through “circumstances” in line 23 and substitute “authorizing certain entities to apply for and be approved for certain loans under the Maryland Industrial Land Act and the Industrial and Commercial Redevelopment Fund under certain circumstances; requiring the Secretary of Business and Economic Development to condition the approval of a loan to an entity, other than certain political subdivisions, on the agreement of a political subdivision to guarantee repayment of a certain portion of the loan; providing that the guaranties of certain political subdivisions under certain loan programs are general obligations of the political subdivisions; providing that the guaranties of political subdivisions under certain loan programs may be undertaken without regard to certain provisions of law; requiring political subdivisions to hold a public hearing before certain political subdivisions guarantee a loan under certain loan programs;”; and strike beginning with “creation” in line 23 down through the second “the” in line 24.

On page 2, strike in their entirety lines 2 and 3 and substitute:

“Section 5-716 and 5-808”;

and strike in their entirety lines 6 through 12, inclusive.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 16 on page 2

(Over)

through line 2 on page 8, inclusive, and substitute:

“5-716.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, SUBJECT TO THE PROVISIONS OF THIS SECTION, AN ENTITY OTHER THAN A POLITICAL SUBDIVISION OF THE STATE MAY APPLY FOR AND BE APPROVED FOR A LOAN UNDER THIS SUBTITLE.

(B) IF THE BORROWER UNDER THIS SUBTITLE IS NOT A POLITICAL SUBDIVISION, THE SECRETARY SHALL CONDITION THE APPROVAL OF THE LOAN ON THE AGREEMENT OF A POLITICAL SUBDIVISION TO GUARANTEE REPAYMENT OF AT LEAST 50 PERCENT OF THE AMOUNT OF THE LOAN.

(C) (1) IF A POLITICAL SUBDIVISION AGREES TO GUARANTEE A LOAN UNDER THIS SUBTITLE, THE GUARANTY IS A GENERAL OBLIGATION OF THE POLITICAL SUBDIVISION, TO THE REPAYMENT OF WHICH THE POLITICAL SUBDIVISION’S FULL FAITH AND CREDIT ARE PLEDGED OR AN OBLIGATION OF BALTIMORE CITY REPAYABLE FROM REVENUES OF THE PROJECT.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GUARANTY FROM A POLITICAL SUBDIVISION UNDER THIS SUBTITLE MAY BE UNDERTAKEN OR ENTERED INTO BY THE POLITICAL SUBDIVISION PURSUANT TO THIS SUBTITLE WITHOUT REGARD TO ANY LIMITATIONS OR PROCEDURES SET FORTH IN THE POLITICAL SUBDIVISION’S CHARTER OR OTHER APPLICABLE PUBLIC LOCAL OR PUBLIC GENERAL LAW THAT WOULD OTHERWISE APPLY.

(D) BEFORE A POLITICAL SUBDIVISION AGREES TO GUARANTEE A LOAN UNDER THIS SUBTITLE, THE GOVERNING BODY OF THE POLITICAL SUBDIVISION SHALL HOLD A PUBLIC HEARING, WHICH:

(1) SHALL BE ADVERTISED TWICE BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE POLITICAL SUBDIVISION AT LEAST 10 DAYS BEFORE THE HEARING; AND

(2) MAY NOT BE PART OF THE ANNUAL BUDGET HEARING.

5-808.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, SUBJECT TO THE PROVISIONS OF THIS SECTION, AN ENTITY OTHER THAN A POLITICAL SUBDIVISION OF THE STATE MAY APPLY FOR AND BE APPROVED FOR A LOAN UNDER THIS SUBTITLE.

(B) IF THE BORROWER UNDER THIS SUBTITLE IS NOT A POLITICAL SUBDIVISION, THE SECRETARY SHALL CONDITION THE APPROVAL OF THE LOAN ON THE AGREEMENT OF A POLITICAL SUBDIVISION TO GUARANTEE REPAYMENT OF AT LEAST 50 PERCENT OF THE AMOUNT OF THE LOAN.

(C) (1) IF A POLITICAL SUBDIVISION AGREES TO GUARANTEE A LOAN UNDER THIS SUBTITLE, THE GUARANTY IS A GENERAL OBLIGATION OF THE POLITICAL SUBDIVISION, TO THE REPAYMENT OF WHICH THE POLITICAL SUBDIVISION'S FULL FAITH AND CREDIT ARE PLEDGED OR AN OBLIGATION OF BALTIMORE CITY REPAYABLE FROM REVENUES OF THE PROJECT.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GUARANTY FROM A POLITICAL SUBDIVISION UNDER THIS SUBTITLE MAY BE UNDERTAKEN OR ENTERED INTO BY THE POLITICAL SUBDIVISION PURSUANT TO THIS SUBTITLE WITHOUT REGARD TO ANY LIMITATIONS OR PROCEDURES SET FORTH IN THE POLITICAL SUBDIVISION'S CHARTER OR OTHER APPLICABLE PUBLIC LOCAL OR PUBLIC GENERAL LAW THAT WOULD OTHERWISE APPLY.

(D) BEFORE A POLITICAL SUBDIVISION AGREES TO GUARANTEE A LOAN UNDER THIS SUBTITLE, THE GOVERNING BODY OF THE POLITICAL SUBDIVISION SHALL HOLD A PUBLIC HEARING, WHICH:

(1) SHALL BE ADVERTISED TWICE BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE POLITICAL SUBDIVISION AT LEAST 10 DAYS BEFORE THE HEARING; AND

(Over)

(2) MAY NOT BE PART OF THE ANNUAL BUDGET HEARING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1996.”.