
By: **The Speaker (Department of Legislative Services - Code Revision)**

Introduced and read first time: January 24, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Housing and Community Development Article - Cross-References and**
3 **Corrections**

4 FOR the purpose of correcting certain cross-references to the Housing and
5 Community Development Article in the Annotated Code of Maryland; correcting
6 certain errors in the Housing and Community Development Article; and
7 generally relating to the Housing and Community Development Article and
8 cross-references and corrections to it.

9 BY repealing and reenacting, with amendments,
10 Article 1 - Rules of Interpretation
11 Section 25
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2004 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 25 - County Commissioners
16 Section 11A(b)(4)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article 28 - Maryland-National Capital Park and Planning Commission
21 Section 7-108(e)
22 Annotated Code of Maryland
23 (2003 Replacement Volume and 2004 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article 49B - Human Relations Commission
26 Section 21(j)(1)
27 Annotated Code of Maryland
28 (2003 Replacement Volume and 2004 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article 78A - Public Works
3 Section 14B(b)
4 Annotated Code of Maryland
5 (2003 Replacement Volume and 2004 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article 83A - Department of Business and Economic Development
8 Section 4-701(c)(2) and 5-1101(i)(3) and (k)(2)
9 Annotated Code of Maryland
10 (2003 Replacement Volume and 2004 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article - Criminal Law
13 Section 8-523(a)(2) and (3)
14 Annotated Code of Maryland
15 (2002 Volume and 2004 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article - Environment
18 Section 14-108(a)(2)(v)
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 2004 Supplement)
- 21 BY repealing and reenacting, with amendments,
22 Article - Financial Institutions
23 Section 13-801(d), 13-1029(a)(2)(ii) and (b)(2), 13-1110(c)(2)(i), and
24 13-1112(b)(3)
25 Annotated Code of Maryland
26 (2003 Replacement Volume and 2004 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article - Health - General
29 Section 4-215(e)(4)(i)
30 Annotated Code of Maryland
31 (2000 Replacement Volume and 2004 Supplement)
- 32 BY repealing
33 Article - Housing and Community Development
34 Section 4-201(o)
35 Annotated Code of Maryland
36 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
37 2005)

1 BY repealing and reenacting, with amendments,
2 Article - Housing and Community Development
3 Section 4-235(e)(2) and 4-236
4 Annotated Code of Maryland
5 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
6 2005)

7 BY repealing and reenacting, with amendments,
8 Article - Insurance
9 Section 6-105, 6-105.2, and 6-107(c)
10 Annotated Code of Maryland
11 (2003 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Insurance
14 Section 22-103(c)
15 Annotated Code of Maryland
16 (2002 Replacement Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Public Safety
19 Section 12-1007(d)(3)
20 Annotated Code of Maryland
21 (2003 Volume and 2004 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - Real Property
24 Section 2-121(d)(2)
25 Annotated Code of Maryland
26 (2003 Replacement Volume and 2004 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article - State Finance and Procurement
29 Section 5-7B-01(d)(1)(ii), 5-7B-02(2), and 7-315(f)(2)(iii)
30 Annotated Code of Maryland
31 (2001 Replacement Volume and 2004 Supplement)

32 BY repealing and reenacting, with amendments,
33 Article - State Government
34 Section 10-618(g)(1)
35 Annotated Code of Maryland
36 (2004 Replacement Volume)

1 BY repealing and reenacting, with amendments,
2 Article - State Personnel and Pensions
3 Section 31-101(g)(2)(iv)
4 Annotated Code of Maryland
5 (2004 Replacement Volume)

6 BY repealing and reenacting, with amendments,
7 Article - Tax - General
8 Section 8-215, 8-412, 10-704.5(a) and (b)(2), and 10-704.6
9 Annotated Code of Maryland
10 (2004 Replacement Volume)

11 BY repealing and reenacting, with amendments,
12 Article - Tax - Property
13 Section 9-228(d) and 14-806(b)(2)(i)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2004 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 8-630(c)(3) and (4)(i)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2004 Supplement)

21 BY renumbering
22 Article - Housing and Community Development
23 Section 4-201(p), (q), (r), (s), (t), and (u), respectively
24 to be Section 4-201(o), (p), (q), (r), (s), and (t), respectively
25 Annotated Code of Maryland
26 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
27 2005)

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

30 **Article 1 - Rules of Interpretation**

31 25.

32 (a) Unnumbered revised articles of the Annotated Code of Maryland may be
33 cited as stated in this section.

34 (b) A section of the Agriculture Article may be cited as: "§ ____ of the
35 Agriculture Article".

1 (c) A section of the Business Occupations and Professions Article may be cited
2 as: "§ ___ of the Business Occupations and Professions Article".

3 (d) A section of the Business Regulation Article may be cited as: "§ ___ of the
4 Business Regulation Article".

5 (e) A section of the Commercial Law Article may be cited as: "§ ___ of the
6 Commercial Law Article".

7 (f) A section of the Corporations and Associations Article may be cited as: "§
8 ___ of the Corporations and Associations Article".

9 (g) A section of the Correctional Services Article may be cited as: "§ ___ of the
10 Correctional Services Article".

11 (h) A section of the Courts and Judicial Proceedings Article may be cited as: "§
12 ___ of the Courts Article".

13 (i) A section of the Criminal Law Article may be cited as: "§ ___ of the
14 Criminal Law Article".

15 (j) A section of the Criminal Procedure Article may be cited as: "§ ___ of the
16 Criminal Procedure Article".

17 (k) A section of the Education Article may be cited as: "§ ___ of the Education
18 Article".

19 (l) A section of the Election Law Article may be cited as: "§ ___ of the Election
20 Law Article".

21 (m) A section of the Environment Article may be cited as: "§ ___ of the
22 Environment Article".

23 (n) A section of the Estates and Trusts Article may be cited as: "§ ___ of the
24 Estates and Trusts Article".

25 (o) A section of the Family Law Article may be cited as: "§ ___ of the Family
26 Law Article".

27 (p) A section of the Financial Institutions Article may be cited as: "§ ___ of the
28 Financial Institutions Article".

29 (q) A section of the Health - General Article may be cited as: "§ ___ of the
30 Health - General Article".

31 (r) A section of the Health Occupations Article may be cited as: "§ ___ of the
32 Health Occupations Article".

33 (S) A SECTION OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE
34 MAY BE CITED AS: "§ ___ OF THE HOUSING AND COMMUNITY DEVELOPMENT
35 ARTICLE".

1 [(s)] (T) A section of the Insurance Article may be cited as: "§ ___ of the
2 Insurance Article".

3 [(t)] (U) A section of the Labor and Employment Article may be cited as: "§ ___
4 of the Labor and Employment Article".

5 [(u)] (V) A section of the Natural Resources Article may be cited as: "§ ___ of
6 the Natural Resources Article".

7 [(v)] (W) A section of the Public Safety Article may be cited as: "§ ___ of the
8 Public Safety Article".

9 [(w)] (X) A section of the Public Utility Companies Article may be cited as: "§
10 ___ of the Public Utility Companies Article".

11 [(x)] (Y) A section of the Real Property Article may be cited as: "§ ___ of the
12 Real Property Article".

13 [(y)] (Z) A section of the State Finance and Procurement Article may be cited
14 as: "§ ___ of the State Finance and Procurement Article".

15 [(z)] (AA) A section of the State Government Article may be cited as: "§ ___ of
16 the State Government Article".

17 [(aa)] (BB) A section of the State Personnel and Pensions Article may be cited
18 as: "§ ___ of the State Personnel and Pensions Article".

19 [(bb)] (CC) A section of the Tax - General Article may be cited as: "§ ___ of the
20 Tax - General Article".

21 [(cc)] (DD) A section of the Tax - Property Article may be cited as: "§ ___ of the
22 Tax - Property Article".

23 [(dd)] (EE) A section of the Transportation Article may be cited as: "§ ___ of the
24 Transportation Article".

25 **Article 25 - County Commissioners**

26 11A.

27 (b) (4) In Charles County, the Board of County Commissioners for use in the
28 production of affordable housing for families of limited income as defined in [Article
29 83B, § 2-302 of the Code] § 4-901 OF THE HOUSING AND COMMUNITY DEVELOPMENT
30 ARTICLE or for use in connection with matters involving education, human services,
31 housing, cultural, recreational, or community needs:

32 (i) May, by resolution, transfer with or without consideration real
33 property within the county no longer needed for a public purpose to any private
34 nonprofit corporation in the county or to the Housing Commission of Charles County
35 provided that:

1 1. There is a public hearing at which the Commissioners
2 solicit and receive comments concerning the transfer and consideration is given to,
3 but not limited to:

4 A. Unique characteristics of any structure on the property;

5 B. Historical significance, if any;

6 C. Compatibility of the proposed use with the neighborhood;

7 and

8 D. Financial aspects, including the ability of the proposed
9 user to construct, renovate, maintain, and operate a facility on the property;

10 2. Notice of the hearing is advertised in at least 1 newspaper
11 having general circulation in the county at least once each week for 2 consecutive
12 weeks, the last of which advertisement may not appear later than 1 week prior to the
13 hearing; and

14 3. An appraisal is made by the Commissioners of the
15 property to be included in the notice of public hearing;

16 (ii) May negotiate with any governmental body or agency or private
17 nonprofit corporation for the sale of any surplus school property, or donation of
18 surplus school property in which the State does not have a financial interest, that is
19 transferred to the county by the County School Board provided that:

20 1. There is a public hearing at which the Commissioners
21 solicit and receive comments concerning the sale or donation and consideration is
22 given to, but not limited to:

23 A. Unique characteristics of any structure on the property;

24 B. Historical significance, if any;

25 C. Compatibility of the proposed use with the neighborhood;

26 and

27 D. Financial aspects, including the ability of the proposed
28 user to construct, renovate, maintain, and operate a facility on the property;

29 2. Notice of the hearing is advertised in at least 1 newspaper
30 having general circulation in the county at least once each week for 2 consecutive
31 weeks, the last of which advertisement may not appear later than 1 week prior to the
32 hearing; and

33 3. An appraisal of the property is made by the
34 Commissioners to be included in the notice of public hearing; and

35 (iii) Shall adopt regulations for implementing this paragraph.

Article 28 - Maryland-National Capital Park and Planning Commission

1 7-108.

2
3 (e) The Commission may make and adopt and, from time to time, amend a
4 plan which shall identify and designate sites, structures with their appurtenances
5 and environmental settings, or districts having a historical, archeological,
6 architectural or cultural value, provided that the criteria for the designation or
7 identification is not inconsistent with the criteria applicable to the Maryland
8 Historical Trust under [Article 83B, § 5-605 of the Annotated Code of Maryland] §
9 5-423 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE. In making or
10 amending of the plan, the Commission may establish advisory committees to assist it
11 in the performance of its duties. The plan shall constitute an amendment to the
12 general plan for the Maryland-Washington Regional District except that the plan
13 may include sites, structures with their appurtenances and environmental settings,
14 or districts located in municipalities within Montgomery and Prince George's
15 counties, not subject to the jurisdiction of the Commission, with the consent of the
16 governing body of that municipality. Consent of the governing body shall constitute
17 the agreement of the municipality to be bound by all rules and regulations governing
18 such sites, structures with their appurtenances and environmental settings, or
19 districts as may be enacted by the district council.

20

Article 49B - Human Relations Commission

21 21.

22 (j) (1) In this subsection, "group home" has the meaning stated in [Article
23 83B, § 2-701(c) of the Code] § 4-601 OF THE HOUSING AND COMMUNITY
24 DEVELOPMENT ARTICLE.

25

Article 78A - Public Works

26 14B.

27 (b) Pursuant to the provisions of [Article 83B, § 5-607 of the Code] § 5-418 OF
28 THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, the Board of Public Works
29 may select the Maryland Historical Trust as the agency designated to control and
30 administer the property and premises thus acquired, and for these purposes title to or
31 other interest in the property and premises may be transferred to the Maryland
32 Historical Trust, or the Board of Public Works may transfer title to or other interest in
33 the property and premises to an appropriate governmental agency or a private agency
34 or corporation, subject to covenants and conditions for proper maintenance and
35 control of the property and premises and for its reversion and return to the Board of
36 Public Works if these covenants and conditions are not performed.

Article 83A - Department of Business and Economic Development

1 4-701.

2 (c) An arts and entertainment district shall be a contiguous geographic area of
3 a county that is:

4 (2) Wholly within a designated neighborhood as defined under [Article
5 83B, § 4-202 of the Code] § 6-301 OF THE HOUSING AND COMMUNITY DEVELOPMENT
6 ARTICLE.

7 5-1101.

8 (i) "Revitalization area" means:

9 (3) An area designated as an eligible neighborhood for economic
10 revitalization assistance under [Article 83B, § 4-203 of the Code] § 6-305 OF THE
11 HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

12 (k) "State priority funding area" includes the following areas:

13 (2) A designated neighborhood, as defined in [Article 83B, § 4-202 of the
14 Code] § 6-301 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

Article - Criminal Law

15 8-523.

16 (a) (2) "Housing agency" means an agency established to administer a
17 housing assistance program under Article 44A or [Article 83B of the Code] THE
18 HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

19 (3) "Housing assistance" means financial assistance, as defined in
20 [Article 83B, § 1-101(e) of the Code] § 1-101 OF THE HOUSING AND COMMUNITY
21 DEVELOPMENT ARTICLE, offered for the purpose of obtaining housing based on need
22 under a program administered by a housing agency and financed wholly or partially
23 by federal, State, or local funds.

Article - Environment

24 14-108.

25 (a) The Department shall deny the permit if the Department determines that:

26 (2) The proposed drilling or well operation poses a substantial threat to
27 public safety or a risk of significant adverse environmental impact to, but not limited
28 to, the following:

29 (v) Historic properties under [Article 83B, § 5-618 of the Code] §
30 5-426 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

Article - Financial Institutions

1
2 13-801.

3 (d) "Community Development Administration" means that division of the
4 Department of Housing and Community Development established under [Article
5 83B, §§ 2-201 through 2-208 of the Annotated Code of Maryland] TITLE 4, SUBTITLE
6 2 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

7 13-1029.

8 (a) Any unit of the State government that conducts or supports activities
9 affecting the Heritage Area shall:

10 (2) Conduct or support the activities of the unit in a manner that:

11 (ii) As determined under [Article 83B, §§ 5-617 and 5-618 of the
12 Code] §§ 5-425 AND 5-426 OF THE HOUSING AND COMMUNITY DEVELOPMENT
13 ARTICLE, does not have an adverse effect on the historic resources of the Heritage
14 Area.

15 (b) A unit of the State government may not issue any license or permit to any
16 person to conduct any activity within the Heritage Area unless the unit determines
17 that the proposed activity:

18 (2) As determined under [Article 83B, §§ 5-617 and 5-618 of the Code]
19 §§ 5-425 AND 5-426 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, does
20 not have an adverse effect on the historic resources of the Heritage Area.

21 13-1110.

22 (c) The Authority may not designate a heritage area as a recognized heritage
23 area unless the Authority finds that:

24 (2) The heritage area contains at least one or more:

25 (i) Historic districts either listed in, or determined to be eligible for
26 listing in, the Maryland Register of Historic Properties in accordance with [Article
27 83B, § 5-615 of the Code] § 5-423 OF THE HOUSING AND COMMUNITY DEVELOPMENT
28 ARTICLE; or

29 13-1112.

30 (b) Units of State government that conduct or support activities affecting a
31 certified heritage area shall:

32 (3) When conducting a review of activities under [Article 83B, §§ 5-617
33 and 5-618 of the Code] §§ 5-425 AND 5-426 OF THE HOUSING AND COMMUNITY
34 DEVELOPMENT ARTICLE, assure that the activities will not have an adverse effect on
35 the historic and cultural resources of the certified heritage area, unless there is no
36 prudent and feasible alternative.

1

Article - Health - General

2 4-215.

3 (e) (4) Except as provided in paragraph (5) of this subsection, the
4 Department may not disclose or allow public inspection of information in a permit
5 record about the location of the site of a disinterment or reinterment if a local burial
6 sites advisory board or the Director of the Maryland Historical Trust determines that:

7 (i) The site is historic property, as defined in [Article 83B, § 5-601
8 of the Code] § 5-401 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;
9 and

10

Article - Housing and Community Development

11 4-201.

12 [(o) "Person" includes a federal, State, or local government and an agency or
13 instrumentality of any of those governments.]

14 4-235.

15 (e) (2) The Administration may not [hold] LEND money on the security of
16 property unless the lien on the property is superior to all other liens, except for:

17 (i) liens for taxes owed to the State or a political subdivision; or

18 (ii) earlier mortgage liens.

19 4-236.

20 In carrying out THIS SECTION AND §§ 4-237 THROUGH 4-241 OF this subtitle, the
21 Administration may not make a loan to a mortgage lender or purchase a mortgage
22 loan from a mortgage lender unless the mortgage lender is:

23 (1) a bank, trust company, savings institution, savings and loan
24 association, national bank association, mortgage banker, or other financial institution
25 that:

26 (i) has an office in the State; and

27 (ii) makes or originates residential mortgage loans;

28 (2) an insurance company authorized to do business in the State; or

29 (3) the Maryland Home Financing Program.

1

Article - Insurance

2 6-105.

3 A person that is subject to taxation under this subtitle may claim a tax credit
4 against the tax imposed for neighborhood and community assistance contributions as
5 provided under [Article 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND
6 COMMUNITY DEVELOPMENT ARTICLE.

7 6-105.2.

8 A person subject to the tax imposed under this subtitle may claim a credit
9 against the tax for a certified rehabilitation as provided under [Article 83B, § 5-801
10 of the Code] § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

11 6-107.

12 (c) A person that is not otherwise required to file a report with the
13 Commissioner under this section shall file a report and pay the tax due if the person:

14 (1) claimed a credit for a previous year against the tax imposed under
15 this subtitle for a certified rehabilitation as provided under [Article 83B, § 5-801 of
16 the Code] § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE; and

17 (2) is subject to the recapture of the credit as provided under [Article
18 83B, § 5-801 of the Code] § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT
19 ARTICLE.

20 22-103.

21 (c) At least quarterly, the financial institution in which a commingled account
22 is maintained under this section shall pay the interest earned on the account, less any
23 service charges of the financial institution, to the Maryland Affordable Housing Trust
24 to enhance the availability of affordable housing throughout the State as provided in
25 [Article 83B, § 11-102 of the Code] § 10-102 OF THE HOUSING AND COMMUNITY
26 DEVELOPMENT ARTICLE.

27

Article - Public Safety

28 12-1007.

29 (d) A local jurisdiction that amends the MBRC is not eligible for any funding
30 appropriated above the appropriation in fiscal year 2000 for:

31 (3) a smart growth mortgage program, to be established by the
32 Department under [Title 2, Subtitles 2 and 6 of Article 83B of the Code] TITLE 4,
33 SUBTITLES 2 AND 8 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

1 **Article - Real Property**

2 2-121.

3 (d) The provisions of this section do not apply to:

4 (2) A covenant or restriction imposed in connection with a loan
5 made or purchased by the Community Development Administration under [Article
6 83B, Title 2, Subtitle 2 of the Code] TITLE 4, SUBTITLE 2 OF THE HOUSING AND
7 COMMUNITY DEVELOPMENT ARTICLE; or

8 **Article - State Finance and Procurement**

9 5-7B-01.

10 (d) (1) "Growth-related project" means only the items set forth below:

11 (ii) funding by the Department of Housing and Community
12 Development for:

13 1. construction or purchase of newly constructed single
14 family homes or purchase of loans for newly constructed single family homes under
15 [Article 83B, §§ 2-201 through 2-208, §§ 2-601 through 2-614, or §§ 2-1001 through
16 2-1007 of the Code] TITLE 4, SUBTITLE 2, SUBTITLE 3, OR SUBTITLE 8 OF THE
17 HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

18 2. acquisition or construction of newly constructed
19 multifamily rental housing under [Article 83B, §§ 2-201 through 2-208, §§ 2-501
20 through 2-510, or §§ 2-801 through 2-810 of the Code] TITLE 4, SUBTITLE 2,
21 SUBTITLE 4, OR SUBTITLE 15 OF THE HOUSING AND COMMUNITY DEVELOPMENT
22 ARTICLE; or

23 3. State-funded neighborhood revitalization projects under
24 [Article 83B, Title 4 of the Code] TITLE 6 OF THE HOUSING AND COMMUNITY
25 DEVELOPMENT ARTICLE;

26 5-7B-02.

27 The following areas shall be considered priority funding areas under this
28 subtitle:

29 (2) a designated neighborhood, as defined in [Article 83B, § 4-202 of the
30 Code] § 6-301 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

31 7-315.

32 (f) (2) The Fund shall be expended:

1 (iii) for energy assistance and weatherization programs provided
2 under [Article 83B, § 4-202,] § 4-211(C) OF THE HOUSING AND COMMUNITY
3 DEVELOPMENT ARTICLE and Title 9, Subtitle 20 of the State Government Article;

4

Article - State Government

5 10-618.

6 (g) (1) A custodian may deny inspection of a public record that contains
7 information concerning the site-specific location of an endangered or threatened
8 species of plant or animal, a species of plant or animal in need of conservation, a cave,
9 or a historic property as defined in [Article 83B, § 5-601(k) of the Code] § 5-401 OF
10 THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

11

Article - State Personnel and Pensions

12 31-101.

13 (g) (2) "Legislative body" includes:

14 (iv) for a community action agency, a governing body as defined in
15 [Article 83B, § 12-101 of the Code] § 8-101 OF THE HOUSING AND COMMUNITY
16 DEVELOPMENT ARTICLE;

17

Article - Tax - General

18 8-215.

19 A financial institution may claim a credit against the financial institution
20 franchise tax for neighborhood and community assistance contributions as provided
21 under [Article 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND COMMUNITY
22 DEVELOPMENT ARTICLE.

23 8-412.

24 A public service company may claim a credit against the public service company
25 franchise tax for neighborhood and community assistance as provided under [Article
26 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND COMMUNITY DEVELOPMENT
27 ARTICLE.

28 10-704.5.

29 (a) An individual or corporation may claim a credit against the State income
30 tax for a certified rehabilitation as provided under [Article 83B, § 5-801 of the Code]
31 § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

32 (b) An individual or corporation that is not otherwise required to file an
33 income tax return, including a corporation exempt from income tax under § 501(c)(3)
34 of the Internal Revenue Code:

1 (2) shall file a return if the individual or corporation is subject to
2 the recapture of the credit under this section as provided under [Article 83B, § 5-801
3 of the Code] § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.
4 10-704.6.

5 An individual or a corporation may claim a credit against the State income tax
6 for neighborhood and community assistance contributions as provided under [Article
7 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND COMMUNITY DEVELOPMENT
8 ARTICLE.

9 **Article - Tax - Property**

10 9-228.

11 (d) The Mayor and City Council of Baltimore City or the governing body of a
12 county or municipal corporation may designate an area within the county or
13 municipal corporation as an area eligible for the tax credit under this section if the
14 area is eligible for designation as a designated neighborhood under the Neighborhood
15 Business Development Program created under [Article 83B, §§ 4-201 through 4-209
16 of the Code] TITLE 6, SUBTITLE 3 OF THE HOUSING AND COMMUNITY DEVELOPMENT
17 ARTICLE.

18 14-806.

19 (b) (2) The Board may waive the requirement in paragraph (1)(v) of this
20 subsection if:

21 (i) the potential transferee is a nonprofit organization as defined
22 in [Article 83B, § 2-203(v) of the Code] § 1-101 OF THE HOUSING AND COMMUNITY
23 DEVELOPMENT ARTICLE; and

24 **Article - Transportation**

25 8-630.

26 (c) (3) If sidewalks or bicycle pathways within a designated neighborhood as
27 defined in [Article 83B, §§ 4-202 and 4-203 of the Code] § 6-301 OF THE HOUSING
28 AND COMMUNITY DEVELOPMENT ARTICLE are constructed or reconstructed in
29 response to a request from a local government and the adjacent roadway is not being
30 concurrently constructed or reconstructed, the cost to construct or reconstruct the
31 sidewalk or bicycle pathway may be funded entirely by the State.

32 (4) (i) This paragraph does not apply to a priority funding area that is
33 a designated neighborhood as defined in [Article 83B, §§ 4-202 and 4-203 of the
34 Code] § 6-301 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

35 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4-201(p), (q),
36 (r), (s), (t), and (u), respectively, of Article - Housing and Community Development of
37 the Annotated Code of Maryland (as enacted by Chapter ____ (H.B. 11) of the Acts of

1 the General Assembly of 2005) be renumbered to be Section(s) 4-201(o), (p), (q), (r),
2 (s), and (t), respectively.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect October 1, 2005.