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

Introduced and read first time: January 24, 2005

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 8, 2005

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CHAPTER\_\_\_\_\_

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)

- 1 BY repealing and reenacting, with amendments,
- 2 Article 49B - Human Relations Commission
- 3 Section 21(j)(1)
- 4 Annotated Code of Maryland
- 5 (2003 Replacement Volume and 2004 Supplement)
  
- 6 BY repealing and reenacting, with amendments,
- 7 Article 78A - Public Works
- 8 Section 14B(b)
- 9 Annotated Code of Maryland
- 10 (2003 Replacement Volume and 2004 Supplement)
  
- 11 BY repealing and reenacting, with amendments,
- 12 Article 83A - Department of Business and Economic Development
- 13 Section 4-701(c)(2) and 5-1101(i)(3) and (k)(2)
- 14 Annotated Code of Maryland
- 15 (2003 Replacement Volume and 2004 Supplement)
  
- 16 BY repealing and reenacting, with amendments,
- 17 Article - Criminal Law
- 18 Section 8-523(a)(2) and (3)
- 19 Annotated Code of Maryland
- 20 (2002 Volume and 2004 Supplement)
  
- 21 BY repealing and reenacting, with amendments,
- 22 Article - Environment
- 23 Section 14-108(a)(2)(v)
- 24 Annotated Code of Maryland
- 25 (1996 Replacement Volume and 2004 Supplement)
  
- 26 BY repealing and reenacting, with amendments,
- 27 Article - Financial Institutions
- 28 Section 13-801(d), 13-1029(a)(2)(ii) and (b)(2), 13-1110(c)(2)(i), and
- 29 13-1112(b)(3)
- 30 Annotated Code of Maryland
- 31 (2003 Replacement Volume and 2004 Supplement)
  
- 32 BY repealing and reenacting, with amendments,
- 33 Article - Health - General
- 34 Section 4-215(e)(4)(i)
- 35 Annotated Code of Maryland
- 36 (2000 Replacement Volume and 2004 Supplement)

- 1 BY repealing  
2 Article - Housing and Community Development  
3 Section 4-201(o)  
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 - Housing and Community Development  
9 Section 4-235(e)(2) and 4-236  
10 Annotated Code of Maryland  
11 (As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
12 2005)
- 13 BY repealing and reenacting, with amendments,  
14 Article - Insurance  
15 Section 6-105, 6-105.2, and 6-107(c)  
16 Annotated Code of Maryland  
17 (2003 Replacement Volume and 2004 Supplement)
- 18 BY repealing and reenacting, with amendments,  
19 Article - Insurance  
20 Section 22-103(c)  
21 Annotated Code of Maryland  
22 (2002 Replacement Volume and 2004 Supplement)
- 23 BY repealing and reenacting, with amendments,  
24 Article - Public Safety  
25 Section 12-1007(d)(3)  
26 Annotated Code of Maryland  
27 (2003 Volume and 2004 Supplement)
- 28 BY repealing and reenacting, with amendments,  
29 Article - Real Property  
30 Section 2-121(d)(2)  
31 Annotated Code of Maryland  
32 (2003 Replacement Volume and 2004 Supplement)
- 33 BY repealing and reenacting, with amendments,  
34 Article - State Finance and Procurement  
35 Section 5-7B-01(d)(1)(ii), 5-7B-02(2), and 7-315(f)(2)(iii)  
36 Annotated Code of Maryland  
37 (2001 Replacement Volume and 2004 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article - State Government  
3 Section 10-618(g)(1)  
4 Annotated Code of Maryland  
5 (2004 Replacement Volume)

6 BY repealing and reenacting, with amendments,  
7 Article - State Personnel and Pensions  
8 Section 31-101(g)(2)(iv)  
9 Annotated Code of Maryland  
10 (2004 Replacement Volume)

11 BY repealing and reenacting, with amendments,  
12 Article - Tax - General  
13 Section 8-215, 8-412, 10-704.5(a) and (b)(2), and 10-704.6  
14 Annotated Code of Maryland  
15 (2004 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article - Tax - Property  
18 Section 9-228(d) and 14-806(b)(2)(i)  
19 Annotated Code of Maryland  
20 (2001 Replacement Volume and 2004 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article - Transportation  
23 Section 8-630(c)(3) and (4)(i)  
24 Annotated Code of Maryland  
25 (2001 Replacement Volume and 2004 Supplement)

26 BY renumbering  
27 Article - Housing and Community Development  
28 Section 4-201(p), (q), (r), (s), (t), and (u), respectively  
29 to be Section 4-201(o), (p), (q), (r), (s), and (t), respectively  
30 Annotated Code of Maryland  
31 (As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
32 2005)

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

**Article 1 - Rules of Interpretation**

1  
2 25.

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

5 (b) A section of the Agriculture Article may be cited as: "§ \_\_\_ of the  
6 Agriculture Article".

7 (c) A section of the Business Occupations and Professions Article may be cited  
8 as: "§ \_\_\_ of the Business Occupations and Professions Article".

9 (d) A section of the Business Regulation Article may be cited as: "§ \_\_\_ of the  
10 Business Regulation Article".

11 (e) A section of the Commercial Law Article may be cited as: "§ \_\_\_ of the  
12 Commercial Law Article".

13 (f) A section of the Corporations and Associations Article may be cited as: "§  
14 \_\_\_ of the Corporations and Associations Article".

15 (g) A section of the Correctional Services Article may be cited as: "§ \_\_\_ of the  
16 Correctional Services Article".

17 (h) A section of the Courts and Judicial Proceedings Article may be cited as: "§  
18 \_\_\_ of the Courts Article".

19 (i) A section of the Criminal Law Article may be cited as: "§ \_\_\_ of the  
20 Criminal Law Article".

21 (j) A section of the Criminal Procedure Article may be cited as: "§ \_\_\_ of the  
22 Criminal Procedure Article".

23 (k) A section of the Education Article may be cited as: "§ \_\_\_ of the Education  
24 Article".

25 (l) A section of the Election Law Article may be cited as: "§ \_\_\_ of the Election  
26 Law Article".

27 (m) A section of the Environment Article may be cited as: "§ \_\_\_ of the  
28 Environment Article".

29 (n) A section of the Estates and Trusts Article may be cited as: "§ \_\_\_ of the  
30 Estates and Trusts Article".

31 (o) A section of the Family Law Article may be cited as: "§ \_\_\_ of the Family  
32 Law Article".

33 (p) A section of the Financial Institutions Article may be cited as: "§ \_\_\_ of the  
34 Financial Institutions Article".

1 (q) A section of the Health - General Article may be cited as: "§ \_\_\_ of the  
2 Health - General Article".

3 (r) A section of the Health Occupations Article may be cited as: "§ \_\_\_ of the  
4 Health Occupations Article".

5 (S) A SECTION OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE  
6 MAY BE CITED AS: "§ \_\_\_ OF THE HOUSING AND COMMUNITY DEVELOPMENT  
7 ARTICLE".

8 [(s)] (T) A section of the Insurance Article may be cited as: "§ \_\_\_ of the  
9 Insurance Article".

10 [(t)] (U) A section of the Labor and Employment Article may be cited as: "§ \_\_\_  
11 of the Labor and Employment Article".

12 [(u)] (V) A section of the Natural Resources Article may be cited as: "§ \_\_\_ of  
13 the Natural Resources Article".

14 [(v)] (W) A section of the Public Safety Article may be cited as: "§ \_\_\_ of the  
15 Public Safety Article".

16 [(w)] (X) A section of the Public Utility Companies Article may be cited as: "§  
17 \_\_\_ of the Public Utility Companies Article".

18 [(x)] (Y) A section of the Real Property Article may be cited as: "§ \_\_\_ of the  
19 Real Property Article".

20 [(y)] (Z) A section of the State Finance and Procurement Article may be cited  
21 as: "§ \_\_\_ of the State Finance and Procurement Article".

22 [(z)] (AA) A section of the State Government Article may be cited as: "§ \_\_\_ of  
23 the State Government Article".

24 [(aa)] (BB) A section of the State Personnel and Pensions Article may be cited  
25 as: "§ \_\_\_ of the State Personnel and Pensions Article".

26 [(bb)] (CC) A section of the Tax - General Article may be cited as: "§ \_\_\_ of the  
27 Tax - General Article".

28 [(cc)] (DD) A section of the Tax - Property Article may be cited as: "§ \_\_\_ of the  
29 Tax - Property Article".

30 [(dd)] (EE) A section of the Transportation Article may be cited as: "§ \_\_\_ of the  
31 Transportation Article".

1

**Article 25 - County Commissioners**

2 11A.

3 (b) (4) In Charles County, the Board of County Commissioners for use in the  
4 production of affordable housing for families of limited income as defined in [Article  
5 83B, § 2-302 of the Code] § 4-901 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
6 ARTICLE or for use in connection with matters involving education, human services,  
7 housing, cultural, recreational, or community needs:

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

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

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

16 B. Historical significance, if any;

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

18 and

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

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

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

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

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

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

35 B. Historical significance, if any;

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

2 and

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

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

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

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

12 **Article 28 - Maryland-National Capital Park and Planning Commission**

13 7-108.

14 (e) The Commission may make and adopt and, from time to time, amend a  
15 plan which shall identify and designate sites, structures with their appurtenances  
16 and environmental settings, or districts having a historical, archeological,  
17 architectural or cultural value, provided that the criteria for the designation or  
18 identification is not inconsistent with the criteria applicable to the Maryland  
19 Historical Trust under [Article 83B, § 5-605 of the Annotated Code of Maryland] §  
20 5-423 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE. In making or  
21 amending of the plan, the Commission may establish advisory committees to assist it  
22 in the performance of its duties. The plan shall constitute an amendment to the  
23 general plan for the Maryland-Washington Regional District except that the plan  
24 may include sites, structures with their appurtenances and environmental settings,  
25 or districts located in municipalities within Montgomery and Prince George's  
26 counties, not subject to the jurisdiction of the Commission, with the consent of the  
27 governing body of that municipality. Consent of the governing body shall constitute  
28 the agreement of the municipality to be bound by all rules and regulations governing  
29 such sites, structures with their appurtenances and environmental settings, or  
30 districts as may be enacted by the district council.

31 **Article 49B - Human Relations Commission**

32 21.

33 (j) (1) In this subsection, "group home" has the meaning stated in [Article  
34 83B, § 2-701(c) of the Code] § 4-601 OF THE HOUSING AND COMMUNITY  
35 DEVELOPMENT ARTICLE.



1

**Article 78A - Public Works**

2 14B.

3 (b) Pursuant to the provisions of [Article 83B, § 5-607 of the Code] § 5-418 OF  
4 THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, the Board of Public Works  
5 may select the Maryland Historical Trust as the agency designated to control and  
6 administer the property and premises thus acquired, and for these purposes title to or  
7 other interest in the property and premises may be transferred to the Maryland  
8 Historical Trust, or the Board of Public Works may transfer title to or other interest in  
9 the property and premises to an appropriate governmental agency or a private agency  
10 or corporation, subject to covenants and conditions for proper maintenance and  
11 control of the property and premises and for its reversion and return to the Board of  
12 Public Works if these covenants and conditions are not performed.

13

**Article 83A - Department of Business and Economic Development**

14 4-701.

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

17 (2) Wholly within a designated neighborhood as defined under [Article  
18 83B, § 4-202 of the Code] § 6-301 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
19 ARTICLE.

20 5-1101.

21 (i) "Revitalization area" means:

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

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

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

28

**Article - Criminal Law**

29 8-523.

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

33 (3) "Housing assistance" means financial assistance, as defined in  
34 [Article 83B, § 1-101(e) of the Code] § 1-101 OF THE HOUSING AND COMMUNITY  
35 DEVELOPMENT ARTICLE, offered for the purpose of obtaining housing based on need

1 under a program administered by a housing agency and financed wholly or partially  
2 by federal, State, or local funds.

3

**Article - Environment**

4 14-108.

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

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

9 (v) Historic properties under [Article 83B, § 5-618 of the Code] §  
10 5-426 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

11

**Article - Financial Institutions**

12 13-801.

13 (d) "Community Development Administration" means that division of the  
14 Department of Housing and Community Development established under [Article  
15 83B, §§ 2-201 through 2-208 of the Annotated Code of Maryland] TITLE 4, SUBTITLE  
16 2 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

17 13-1029.

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

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

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

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

28 (2) As determined under [Article 83B, §§ 5-617 and 5-618 of the Code]  
29 §§ 5-425 AND 5-426 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, does  
30 not have an adverse effect on the historic resources of the Heritage Area.

31 13-1110.

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

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

2 (i) Historic districts either listed in, or determined to be eligible for  
3 listing in, the Maryland Register of Historic Properties in accordance with [Article  
4 83B, § 5-615 of the Code] § 5-423 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
5 ARTICLE; or

6 13-1112.

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

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

#### 14 **Article - Health - General**

15 4-215.

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

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

#### 23 **Article - Housing and Community Development**

24 4-201.

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

27 4-235.

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

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

31 (ii) earlier mortgage liens.

1 4-236.

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

5 (1) a bank, trust company, savings institution, savings and loan  
6 association, national bank association, mortgage banker, or other financial institution  
7 that:

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

9 (ii) makes or originates residential mortgage loans;

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

11 (3) the Maryland Home Financing Program.

12 **Article - Insurance**

13 6-105.

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

18 6-105.2.

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

22 6-107.

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

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

28 (2) is subject to the recapture of the credit as provided under [Article  
29 83B, § 5-801 of the Code] § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
30 ARTICLE.

31 22-103.

32 (c) At least quarterly, the financial institution in which a commingled account  
33 is maintained under this section shall pay the interest earned on the account, less any  
34 service charges of the financial institution, to the Maryland Affordable Housing Trust

1 to enhance the availability of affordable housing throughout the State as provided in  
2 [Article 83B, § 11-102 of the Code] § 10-102 OF THE HOUSING AND COMMUNITY  
3 DEVELOPMENT ARTICLE.

4

#### **Article - Public Safety**

5 12-1007.

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

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

11

#### **Article - Real Property**

12 2-121.

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

14 (2) A covenant or restriction imposed in connection with a loan  
15 made or purchased by the Community Development Administration under [Article  
16 83B, Title 2, Subtitle 2 of the Code] TITLE 4, SUBTITLE 2 OF THE HOUSING AND  
17 COMMUNITY DEVELOPMENT ARTICLE; or

18

#### **Article - State Finance and Procurement**

19 5-7B-01.

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

21 (ii) funding by the Department of Housing and Community  
22 Development for:

23 1. construction or purchase of newly constructed single  
24 family homes or purchase of loans for newly constructed single family homes under  
25 [Article 83B, §§ 2-201 through 2-208, §§ 2-601 through 2-614, or §§ 2-1001 through  
26 2-1007 of the Code] TITLE 4, SUBTITLE 2, SUBTITLE 3, OR SUBTITLE 8 OF THE  
27 HOUSING AND COMMUNITY DEVELOPMENT ARTICLE;

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

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

1 5-7B-02.

2 The following areas shall be considered priority funding areas under this  
3 subtitle:

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

6 7-315.

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

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

11 **Article - State Government**

12 10-618.

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

18 **Article - State Personnel and Pensions**

19 31-101.

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

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

24 **Article - Tax - General**

25 8-215.

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

30 8-412.

31 A public service company may claim a credit against the public service company  
32 franchise tax for neighborhood and community assistance as provided under [Article

1 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
2 ARTICLE.

3 10-704.5.

4 (a) An individual or corporation may claim a credit against the State income  
5 tax for a certified rehabilitation as provided under [Article 83B, § 5-801 of the Code]  
6 § 5-403 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

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

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

13 10-704.6.

14 An individual or a corporation may claim a credit against the State income tax  
15 for neighborhood and community assistance contributions as provided under [Article  
16 83B, § 4-704 of the Code] § 6-404 OF THE HOUSING AND COMMUNITY DEVELOPMENT  
17 ARTICLE.

18 **Article - Tax - Property**

19 9-228.

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

27 14-806.

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

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

1

**Article - Transportation**

2 8-630.

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

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4-201(p), (q),  
13 (r), (s), (t), and (u), respectively, of Article - Housing and Community Development of  
14 the Annotated Code of Maryland (as enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of  
15 the General Assembly of 2005) be renumbered to be Section(s) 4-201(o), (p), (q), (r),  
16 (s), and (t), respectively.

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