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By: **Delegate McIntosh**

Introduced and read first time: February 2, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                   **Housing - Community Development Projects - "Live Near Your Work"**  
3                   **Program**

4 FOR the purpose of requiring the Community Development Administration in the  
5 Department of Housing and Community Development to administer certain  
6 community development projects to provide employees with financial assistance  
7 to buy homes near their workplaces under certain circumstances; exempting  
8 certain community development projects from certain requirements regarding  
9 income; designating certain community development projects as the "Live Near  
10 Your Work" program; authorizing the Secretary of Housing and Community  
11 Development to adopt regulations to implement the "Live Near Your Work"  
12 program; requiring the Governor to include in the State budget certain amounts  
13 in certain fiscal years for the "Live Near Your Work" program; requiring the  
14 Department to provide financial assistance under the "Live Near Your Work"  
15 program starting on a certain date; and generally relating to the "Live Near  
16 Your Work" program.

17 BY repealing and reenacting, with amendments,  
18 Article - Housing and Community Development  
19 Section 4-217  
20 Annotated Code of Maryland  
21 (As enacted by Chapter \_\_ (H.B. 11) of the Acts of the General Assembly of 2005)

22 BY repealing and reenacting, without amendments,  
23 Article - Housing and Community Development  
24 Section 6-305  
25 Annotated Code of Maryland  
26 (As enacted by Chapter \_\_ (H.B. 11) of the Acts of the General Assembly of 2005)

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

1 **Article - Housing and Community Development**

2 4-217.

3 (a) A project, undertaking, or a part of a project or undertaking, including the  
4 real, personal, and mixed property involved, qualifies as a community development  
5 project if it is planned, acquired, owned, developed, constructed, reconstructed,  
6 rehabilitated, repaired, renovated, or improved to promote sound community  
7 development.

8 (b) A community development project shall provide for:

9 (1) new or existing housing:

10 (i) that is or will be occupied in substantial part by families of  
11 limited income; or

12 (ii) at least 20% of which is or will be occupied by families of limited  
13 income, if the project is financed with bonds, notes, or other evidences of indebtedness  
14 issued by the Administration, the income from which being includable in the holder's  
15 gross income under the Internal Revenue Code as determined by the Administration  
16 at the time of issue;

17 (2) any improvements, such as streets, roads, sewer lines, and water  
18 lines that are needed to support the housing; and

19 (3) the public or private commercial, educational, cultural, recreational,  
20 community, or civic facilities that are needed to support the housing.

21 (c) A community development project may include public or private  
22 commercial, educational, cultural, recreational, community, or civic facilities that are  
23 not needed to support the housing, if:

24 (1) they are less than a substantial part of the project; or

25 (2) the Secretary finds that they will promote sound community  
26 development.

27 (d) (1) [The requirements of subsection (b)(1) of this section that parts of the  
28 housing be occupied by families of limited income do not apply to a] THE  
29 ADMINISTRATION SHALL ADMINISTER community development [project] PROJECTS  
30 that:

31 [(1)] (I) [is] ARE in [a] designated [neighborhood] NEIGHBORHOODS  
32 approved under § 6-305 of this article; and

33 [(2)] (II) [provides] PROVIDE employees with financial assistance to buy  
34 homes near their workplaces.

35 (2) A COMMUNITY DEVELOPMENT PROJECT ADMINISTERED UNDER  
36 THIS SUBSECTION IS NOT SUBJECT TO THE PROVISIONS OF SUBSECTION (B)(1) OF

1 THIS SECTION THAT REQUIRE PART OF THE HOUSING TO BE OCCUPIED BY FAMILIES  
2 OF LIMITED INCOME.

3 (3) THE COMMUNITY DEVELOPMENT PROJECTS ADMINISTERED UNDER  
4 THIS SUBSECTION SHALL BE KNOWN AS THE "LIVE NEAR YOUR WORK" PROGRAM.

5 (4) THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THE  
6 "LIVE NEAR YOUR WORK" PROGRAM ESTABLISHED UNDER THIS SUBSECTION.

7 (5) (I) IN FISCAL YEAR 2007 AND FISCAL YEAR 2008, THE GOVERNOR  
8 SHALL INCLUDE IN THE STATE BUDGET \$250,000 FOR THE "LIVE NEAR YOUR WORK"  
9 PROGRAM ESTABLISHED UNDER THIS SUBSECTION.

10 (II) IN FISCAL YEAR 2009 AND EVERY FISCAL YEAR THEREAFTER,  
11 THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET NO LESS THAN \$250,000 AND  
12 NO MORE THAN \$500,000 FOR THE "LIVE NEAR YOUR WORK" PROGRAM ESTABLISHED  
13 UNDER THIS SUBSECTION.

14 6-305.

15 With the concurrence of the Secretary, a political subdivision may approve a  
16 designated neighborhood after considering:

17 (1) the availability, cost, and condition of business facilities;

18 (2) the age and number of abandoned structures;

19 (3) the age and number of substandard structures;

20 (4) the income of residents relative to State or regional median incomes,  
21 including the number of welfare recipients;

22 (5) the extent of unemployment and the availability of jobs for residents;

23 (6) the need for financing for small businesses, nonprofit organizations,  
24 or microenterprises to upgrade social and economic conditions;

25 (7) the development or redevelopment strategy of the political  
26 subdivision for the area and any plans, or financial commitment to undertake  
27 improvements there; and

28 (8) other standards that the Department considers relevant as set forth  
29 in regulations, including standards established for other State or federal programs.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of  
31 Housing and Community Development shall provide financial assistance under the  
32 "Live Near Your Work" program established under this Act starting July 1, 2006.

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