

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 880  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Dyson”.

AMENDMENT NO. 2

On page 1, in lines 4 and 12, in each instance, strike “county” and substitute “local government”; in lines 5 and 7, in each instance, strike “counties” and substitute “local governments”; strike beginning with “authorizing” in line 8 down through “circumstances;” in line 9; in line 15, after the first “of” insert “Program funds, matching funds, and”; in line 17, after “circumstances;” insert “requiring the Department to distribute the matching funds and a portion of the net proceeds of transfer to a local government under certain circumstances; requiring a contract of sale to an initial buyer to disclose certain information;”; and in lines 17 and 18, strike “qualifying counties and municipal corporations” and substitute “local governments”.

AMENDMENT NO. 3

On page 2, in line 28, strike “AND”; in line 30, after “UNIT” insert “; AND”

(4) THE COMBINED AMOUNT OF PROGRAM FUNDS AND QUALIFYING LOCAL GOVERNMENT MATCHING FUNDS USED TO DEVELOP THE WORKFORCE HOUSING UNIT.

(H) “PRIORITY FUNDING AREA” HAS THE MEANING STATED IN § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE”;

in line 31, strike “(H)” and substitute “(I)”; and in line 32, strike “(I)” and substitute “(J) “QUALIFYING LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPAL CORPORATION THAT QUALIFIES FOR PARTICIPATION IN THE PROGRAM UNDER §

(Over)

4-1803 OF THIS SUBTITLE.

(K)”.

On page 2 in lines 16 and 17, on page 3 in lines 17 and 28, on page 4 in lines 18 and 26, and on page 5 in lines 3, 6, 23, 28, and 32, in each instance, strike “COUNTY” and substitute “LOCAL GOVERNMENT”.

On page 3 in line 15, and on page 5 in line 2, in each instance, strike “COUNTIES” and substitute “LOCAL GOVERNMENTS”.

On page 3, in line 31, strike “COUNTY’S” and substitute “LOCAL GOVERNMENT’S”.

AMENDMENT NO. 4

On page 2, in line 14, strike “AND” and substitute “OR”; and in line 17, after “THE” insert “AREA OF THE”.

On page 3, after line 15, insert:

“(C) FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET.”;

and in line 18, strike “COUNTY OR A MUNICIPAL CORPORATION WITHIN THE COUNTY” and substitute “LOCAL GOVERNMENT”.

On page 4, in lines 2 and 3, strike “COUNTY OR OF A MUNICIPAL CORPORATION WITHIN A QUALIFYING COUNTY” and substitute “LOCAL GOVERNMENT”.

AMENDMENT NO. 5

On page 4, in line 19, strike “UNITS OF”; in the same line, after “HOUSING” insert “UNITS”; strike beginning with “AMONG” in line 23 down through “POPULATION” in line 24 and substitute “AS FOLLOWS”:

(1) IF A COUNTY IS A QUALIFYING LOCAL GOVERNMENT, AND NO MUNICIPAL CORPORATION IN THE COUNTY IS A QUALIFYING LOCAL GOVERNMENT, THE DEPARTMENT SHALL DISTRIBUTE PROGRAM FUNDS TO THE COUNTY BASED ON THE COUNTY’S SHARE OF THE STATE POPULATION;

(2) IF A COUNTY IS A QUALIFYING LOCAL GOVERNMENT, AND A MUNICIPAL CORPORATION IN THE COUNTY IS ALSO A QUALIFYING LOCAL

GOVERNMENT, THE DEPARTMENT SHALL:

(I) DETERMINE THE COUNTY'S PROPORTIONATE SHARE OF PROGRAM FUNDS BASED ON THE COUNTY'S SHARE OF THE STATE POPULATION; AND

(II) FROM THE AMOUNT OF PROGRAM FUNDS DETERMINED UNDER ITEM (I) OF THIS ITEM, DISTRIBUTE:

1. TO EACH QUALIFYING LOCAL GOVERNMENT IN THE COUNTY THAT IS A MUNICIPAL CORPORATION, AN AMOUNT OF PROGRAM FUNDS BASED ON THE MUNICIPAL CORPORATION'S SHARE OF THE COUNTY POPULATION; AND

2. TO THE COUNTY, THE BALANCE OF THE COUNTY'S SHARE OF PROGRAM FUNDS; OR

(3) IF A COUNTY IS NOT A QUALIFYING LOCAL GOVERNMENT, BUT A MUNICIPAL CORPORATION IN THE COUNTY IS A QUALIFYING LOCAL GOVERNMENT, THE DEPARTMENT SHALL:

(I) DETERMINE THE COUNTY'S PROPORTIONATE SHARE OF PROGRAM FUNDS BASED ON THE COUNTY'S SHARE OF THE STATE POPULATION; AND

(II) DISTRIBUTE TO EACH QUALIFYING LOCAL GOVERNMENT IN THE COUNTY THAT IS A MUNICIPAL CORPORATION, A PROPORTIONATE SHARE OF THE AMOUNT OF PROGRAM FUNDS DETERMINED UNDER ITEM (I) OF THIS ITEM BASED ON THE MUNICIPAL CORPORATION'S SHARE OF THE COUNTY'S POPULATION";

and in line 29, strike "COUNTY" and substitute "QUALIFYING LOCAL GOVERNMENT".

(Over)

AMENDMENT NO. 6

On page 5, in line 6, strike “(A)”; in line 7, after “DEVELOPMENT” insert “LOCATED IN A PRIORITY FUNDING AREA”; strike beginning with the colon in line 8 down through “REQUIREMENTS” in line 20 and substitute “THE QUALIFYING LOCAL GOVERNMENT”; in line 23, after the second “A” insert “WORKFORCE”; in line 28, strike “UNIT OF”; in line 29, after “HOUSING” insert “UNIT”; in line 32, after “COMPARABLE” insert “WORKFORCE”; in line 35, strike “40” and substitute “25”; and after line 35, insert:

“(B) IF AN INITIAL BUYER OF A HOMEOWNERSHIP WORKFORCE HOUSING UNIT DEVELOPED THROUGH THE PROGRAM TRANSFERS TITLE TO THE UNIT AT ANY TIME, THE INITIAL BUYER SHALL ASSIGN TO THE DEPARTMENT 100% OF THE COMBINED AMOUNT OF PROGRAM FUNDS AND QUALIFYING LOCAL GOVERNMENT MATCHING FUNDS USED TO DEVELOP THE UNIT.”.

AMENDMENT NO. 7

On page 6, in line 1, strike “(B)” and substitute “(C)”; in the same line, after “HOMEOWNERSHIP” insert “WORKFORCE HOUSING”; in line 4, strike “100%” and substitute “20%”; in lines 6 and 9, in each instance, strike “25” and substitute “15”; and in line 8, strike “95%” and “5%”, respectively, and substitute “20%” and “2%”, respectively.

AMENDMENT NO. 8

On page 6, after line 11, insert:

“(D) OF THE FUNDS ASSIGNED TO THE DEPARTMENT UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION, THE DEPARTMENT SHALL DISTRIBUTE TO THE QUALIFYING LOCAL GOVERNMENT:

(1) THE MATCHING FUNDS PROVIDED BY THE QUALIFYING LOCAL GOVERNMENT FOR THE HOMEOWNERSHIP WORKFORCE HOUSING UNIT THAT GENERATED THE NET PROCEEDS OF TRANSFER; AND

(2) A PROPORTIONATE SHARE OF THE NET PROCEEDS OF TRANSFER BASED ON THE AMOUNT OF MATCHING FUNDS PROVIDED BY THE QUALIFYING LOCAL GOVERNMENT FOR THE HOMEOWNERSHIP WORKFORCE HOUSING UNIT THAT GENERATED THE NET PROCEEDS OF TRANSFER.”;

in line 12, strike “(C)” and substitute “(E)”; in the same line, after “DEPARTMENT” insert “AND THE QUALIFYING LOCAL GOVERNMENTS”; in the same line, strike “NET PROCEEDS OF TRANSFER” and substitute “FUNDS”; after line 14, insert:

“(E) THE CONTRACT OF SALE TO THE INITIAL BUYER SHALL DISCLOSE THE COMBINED AMOUNT OF PROGRAM FUNDS AND QUALIFYING LOCAL GOVERNMENT MATCHING FUNDS THAT MUST BE ASSIGNED TO THE DEPARTMENT IN THE EVENT OF A TRANSFER OF TITLE.

(G) THE DEED TO THE INITIAL BUYER OF A HOMEOWNERSHIP WORKFORCE HOUSING UNIT AND A DEED TO A TRANSFEREE FOR NO CONSIDERATION OF A HOMEOWNERSHIP WORKFORCE HOUSING UNIT SHALL INCLUDE:

(1) THE REQUIREMENTS FOR REPAYMENT SET FORTH IN THIS SECTION; AND

(2) A PROVISION CREATING A LIEN IN FAVOR OF THE DEPARTMENT AGAINST THE HOMEOWNERSHIP WORKFORCE HOUSING UNIT FOR THE AMOUNTS DUE UPON SALE AS SET FORTH IN THIS SECTION.”;

and strike beginning with “COUNTY” in line 16 down through “FUNDS” in line 17 and substitute “LOCAL GOVERNMENT”.