

HB0613/190918/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 613

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Planning)” insert “and Delegate A. Washington”; in line 3, strike “municipal corporations” and substitute “municipalities”; in line 11, after “site” insert “in a sustainable community”; in line 16, after the second semicolon insert “providing that the Mayor and City Council of Baltimore City may use certain authority granted under State law to a political subdivision for tax increment financing in a sustainable community for certain purposes; requiring the Department of Planning to produce a certain models and guidelines report on or before a certain date; requiring the Department to develop a certain online tax increment financing education course on or before a certain date; requiring certain officers of a local jurisdiction to complete a certain online tax increment financing education course before the local jurisdiction may use the tax increment financing authority under this Act; requiring the Department to create a certification for completion of a certain online tax increment financing education course and forward certain information about individuals who have received a certain certification to certain units of State government;”; and strike in their entirety lines 18 through 27, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article - Local Government

Section 21-409(a) and 21-503(a)

Annotated Code of Maryland

(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article - Local Government

(Over)

Section 21-410 and 21-504
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)”;

and after line 15, insert:

“BY adding to
The Charter of Baltimore City
Article II
Section (62)(k) and (62A)(t)
(2007 Replacement Volume, as amended)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 35 on page 2 through line 26 on page 4, inclusive, and substitute:

“Article – Local Government

21–409.

(a) For any purpose stated in § 21–410(a)(1) of this subtitle, a municipality
may:

- (1) establish a special taxing district;
- (2) impose ad valorem or special taxes; and
- (3) issue bonds.

21–410.

(a) The purpose of the authority granted under this part is to:

(1) finance, refinance, or reimburse the cost of establishing, acquiring, designing, constructing, altering, or extending adequate infrastructure improvements as necessary for the development and use of land in any defined geographic region in the municipality, including storm drainage systems, sewers, water systems, roads, bridges, culverts, tunnels, sidewalks, lighting, parking, parks and recreation facilities, libraries, and schools; and

(2) provide a source of funding for payment of costs of:

(i) infrastructure improvements located in or supporting a transit-oriented development or a State hospital redevelopment; and

(ii) operation and maintenance of infrastructure improvements located in or supporting a transit-oriented development or a State hospital redevelopment.

(b) An infrastructure improvement financed under subsection (a)(1) of this section may be located:

(1) in the special taxing district;

(2) in the municipality, outside the special taxing district if the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district; or

(3) outside the municipality if:

(i) the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district; and

(Over)

(ii) notice is given to the governmental unit having jurisdiction over the infrastructure improvement.

(C) FOR THE PURPOSES OF THIS PART AND ANY AUTHORITY GRANTED BY THIS PART, A SUSTAINABLE COMMUNITY, AS DEFINED IN § 6-201 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, SHALL BE CONSIDERED THE SAME AS A TRANSIT-ORIENTED DEVELOPMENT.

21-503.

(a) For any purpose stated in § 21-504(a)(1) of this subtitle, a county may:

- (1) establish a special taxing district;
- (2) impose ad valorem or special taxes; and
- (3) issue bonds.

21-504.

(a) The purpose of the authority granted under this subtitle is to:

- (1) finance, refinance, or reimburse the cost of establishing, acquiring, designing, constructing, altering, or extending adequate infrastructure improvements as necessary for the development and use of land in any defined geographic region in the county, including storm drainage systems, sewers, water systems, roads, bridges, culverts, tunnels, sidewalks, lighting, parking, parks and recreation facilities, libraries, schools, transit facilities, and solid waste facilities; and
- (2) provide a source of funding for payment of costs of:

(i) infrastructure improvements located in or supporting a transit-oriented development or a State hospital redevelopment; and

(ii) operating and maintaining infrastructure improvements located in or supporting a transit-oriented development or a State hospital redevelopment.

(b) An infrastructure improvement financed under subsection (a)(1) of this section may be located:

(1) in the special taxing district; or

(2) outside the special taxing district if the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district.

(C) FOR THE PURPOSES OF THIS SUBTITLE AND ANY AUTHORITY GRANTED BY THIS SUBTITLE, A SUSTAINABLE COMMUNITY, AS DEFINED IN § 6-201 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, SHALL BE CONSIDERED THE SAME AS A TRANSIT-ORIENTED DEVELOPMENT.

On page 15, in line 24, strike “Article 23A, § 44A of the Code, Article 24, § 9-1301 of the Code,” and substitute “Title 21, Subtitle 4, Part II or Title 21, Subtitle 5 of the Local Government Article”.

AMENDMENT NO. 3

On page 5, in line 4, after “district” insert “**OR IDENTIFYING THE SUSTAINABLE COMMUNITY**”; and strike beginning with “**AFTER**” in line 31 down through the comma in line 32.

On page 6, in line 2, strike “**§ 12-203**” and substitute “**§ 12-203(B)**”.

(Over)

On page 7, in line 3, after “(p)” insert “(1)”; and after line 4, insert:

“(2) “SUSTAINABLE COMMUNITY” INCLUDES A PORTION OF A SUSTAINABLE COMMUNITY.”;

and in lines 7, 8, and 27, in each instance, strike the bracket.

On page 8, in line 6, after “SITE” insert “IN A SUSTAINABLE COMMUNITY”.

On page 9, in line 15, after “SECTION” insert “AND WITHOUT LIMITING THE PURPOSES IN SUBSECTION (A) OF THIS SECTION”; in line 25, strike “AND”; and in line 26, after “HOUSING” insert “; AND”

(VII) STORMWATER MANAGEMENT AND STORM DRAIN FACILITIES”.

AMENDMENT NO. 4

On page 15, after line 17, insert:

“The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(62)

(K) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A SUSTAINABLE COMMUNITY AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(62A)

(T) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A SUSTAINABLE COMMUNITY AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.”.

AMENDMENT NO. 5

On page 15, in line 25, after the second comma insert “or demonstrates to the appropriate unit of State government that the political subdivision has funded infrastructure improvements in a sustainable community.”; after line 32, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2013, the Department of Planning shall produce a models and guidelines report on the best practices for tax increment financing.

(b) The models and guidelines report shall include information on the services that the Maryland Economic Development Corporation can offer local jurisdictions relating to tax increment financing in sustainable communities.

(Over)

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2013, the Department of Planning shall develop an online tax increment financing education course.

(b) The Department of Planning shall consult with the Maryland Economic Development Corporation when developing the online tax increment financing education course.

(c) The online tax increment financing education course shall include:

(1) the benefits and risks of tax increment financing; and

(2) information on the services that the Maryland Economic Development Corporation can offer local jurisdictions with regard to tax increment financing in sustainable communities.

(d) Before a local jurisdiction may use the tax increment financing authority for sustainable communities established under this Act, the chief administrative officer or the chief financial officer of the local jurisdiction shall complete the online tax increment financing education course.

(e) The Department of Planning shall create a certification for completion of the online tax increment financing education course and keep a record of individuals who receive the certification.

(f) The Department of Planning shall forward the list of individuals who have received the certification for completion of the online tax increment financing education course to the:

(1) units of State government that are required to grant priority funding under Section 3 of this Act; and

(2) the Maryland Economic Development Corporation.”;

and in line 33, strike “4.” and substitute “6.”.