

HOUSE BILL 1274

L2

7lr1267

By: **Prince George's County Delegation**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Land Bank Authority**

3 **PG 423–17**

4 FOR the purpose of authorizing the governing body of Prince George's County to enact a
5 law establishing a certain land bank authority; requiring an ordinance establishing
6 an Authority to include certain articles of incorporation and requiring certain
7 articles of incorporation to be filed, accepted, and amended in a certain manner;
8 authorizing Prince George's County to take certain actions relating to the Authority;
9 providing for the disposition of property and obligation of the Authority on
10 termination; requiring a law creating the Authority to establish and provide for a
11 board of directors; specifying the membership of the board of directors; establishing
12 the powers of the Authority; authorizing the Authority to delegate certain powers;
13 authorizing the Authority to acquire and dispose of certain real property; authorizing
14 the Authority to employ certain staff and retain certain consultants; authorizing a
15 court to appoint the Authority to serve as a certain receiver; requiring the Authority
16 to adopt a certain code of ethics, establish certain policies and procedures, and
17 comply with certain provisions of law; providing that the procedures of Prince
18 George's County control certain matters under certain circumstances; authorizing
19 the Authority to exercise certain powers of Prince George's County; specifying that
20 the local law establishing the Authority may grant to the Authority certain
21 immunities; authorizing the Authority to take certain actions relating to property
22 held or owned by the Authority; requiring the Authority to be made a party to certain
23 actions and proceedings; requiring property held by the Authority to be inventoried
24 and classified in a certain manner; prohibiting a certain register of deeds from
25 charging a certain fee; authorizing the Authority to accept a certain deed or
26 assignment of interest in a certain property instead of certain other penalties under
27 certain circumstances; prohibiting a certain conveyance of property from affecting or
28 impairing another lien on the property; providing that a certain tax lien may be
29 released or abated under certain circumstances; providing that certain money
30 received by the Authority shall be returned to the local taxing unit for certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 purposes under certain circumstances; providing certain tax exemptions for certain
 2 properties and activities; authorizing the Authority to bring a certain civil action;
 3 requiring the Authority to be made a party to certain actions; prohibiting a certain
 4 proceeding from being held until certain service of process is made; specifying that
 5 property of the Authority is public property devoted to a certain purpose and that
 6 income of the Authority is considered to be for a certain purpose; providing that the
 7 Authority is subject to certain local zoning laws, permitting processes, and land use
 8 controls; requiring the Authority to make a certain annual report to the County
 9 Executive and County Council of Prince George's County and the General Assembly;
 10 defining certain terms; providing for the construction of this Act; establishing that
 11 the powers granted in this Act are supplemental to certain other powers; establishing
 12 that this Act does not authorize the Authority to exercise certain powers or levy
 13 certain taxes or assessments; and generally relating to a land bank authority in
 14 Prince George's County.

15 BY adding to

16 Article – Local Government

17 Section 9–601 through 9–619 to be under the new subtitle “Subtitle 6. Prince
 18 George's County Land Bank Authority”

19 Annotated Code of Maryland

20 (2013 Volume and 2016 Supplement)

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

23 **Article – Local Government**

24 **SUBTITLE 6. PRINCE GEORGE'S COUNTY LAND BANK AUTHORITY.**

25 **9–601.**

26 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 27 INDICATED.

28 (B) “AUTHORITY” MEANS A LAND BANK AUTHORITY CREATED BY PRINCE
 29 GEORGE'S COUNTY UNDER § 9–603 OF THIS SUBTITLE.

30 (C) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE AUTHORITY.

31 (D) “COST” INCLUDES:

32 (1) THE PURCHASE PRICE OF PROPERTY;

33 (2) THE COST TO ACQUIRE ANY RIGHT, TITLE, OR INTEREST IN
 34 PROPERTY;

1 **(3) THE COST OF ANY IMPROVEMENTS MADE TO PROPERTY;**

2 **(4) THE AMOUNT TO BE PAID TO DISCHARGE EACH OBLIGATION**
3 **NECESSARY OR DESIRABLE TO VEST TITLE TO ANY PART OF PROPERTY IN THE**
4 **AUTHORITY OR OTHER OWNER;**

5 **(5) THE COST OF ANY PROPERTY, RIGHT, EASEMENT, FRANCHISE, OR**
6 **PERMIT ASSOCIATED WITH A PROJECT;**

7 **(6) THE COST OF LABOR, MACHINERY, AND EQUIPMENT NECESSARY**
8 **TO IMPLEMENT A PROJECT;**

9 **(7) FINANCING CHARGES;**

10 **(8) INTEREST AND RESERVES FOR PRINCIPAL AND INTEREST AND**
11 **FOR IMPROVEMENTS;**

12 **(9) THE COST OF REVENUE AND COST ESTIMATES, ENGINEERING AND**
13 **LEGAL SERVICES, PLANS, SPECIFICATIONS, STUDIES, SURVEYS, AND OTHER**
14 **EXPENSES ASSOCIATED WITH DETERMINING THE FEASIBILITY OR PRACTICABILITY**
15 **OF A PROJECT;**

16 **(10) ADMINISTRATIVE EXPENSES; AND**

17 **(11) OTHER EXPENSES AS NECESSARY OR INCIDENT TO:**

18 **(I) FINANCING A PROJECT;**

19 **(II) ACQUIRING AND IMPROVING A PROJECT;**

20 **(III) PLACING A PROJECT IN OPERATION, INCLUDING**
21 **REASONABLE PROVISION FOR WORKING CAPITAL; AND**

22 **(IV) OPERATING AND MAINTAINING A PROJECT.**

23 **(E) "FINANCE" INCLUDES REFINANCE.**

24 **(F) (1) "PROJECT" MEANS ANY ORGANIZED PLAN CARRIED OUT BY THE**
25 **AUTHORITY IN RELATION TO:**

26 **(I) ACQUIRING AND REHABILITATING ABANDONED AND**
27 **DILAPIDATED PROPERTIES; AND**

1 (II) MARKETING AND LEASING OR SELLING THE
2 REHABILITATED PROPERTIES.

3 (2) "PROJECT" INCLUDES:

4 (I) ACQUIRING LAND OR AN INTEREST IN LAND;

5 (II) ACQUIRING STRUCTURES, EQUIPMENT, AND FURNISHINGS
6 LOCATED ON A PROPERTY;

7 (III) ACQUIRING PROPERTY THAT IS FUNCTIONALLY RELATED
8 AND SUBORDINATE TO A PROJECT; AND

9 (IV) OBTAINING OR CONTRACTING FOR ANY SERVICES
10 NECESSARY FOR THE REHABILITATION OF A PROPERTY.

11 (G) (1) "REVENUE" MEANS THE INCOME, REVENUE, AND OTHER MONEY
12 THE AUTHORITY RECEIVES FROM OR IN CONNECTION WITH A PROJECT AND ALL
13 OTHER INCOME OF THE AUTHORITY.

14 (2) "REVENUE" INCLUDES GRANTS, RENTALS, RATES, FEES, AND
15 CHARGES.

16 (H) "TAX SALE PROPERTY" MEANS PROPERTY OR AN INTEREST IN
17 PROPERTY SOLD BY THE PRINCE GEORGE'S COUNTY TAX COLLECTOR IN
18 ACCORDANCE WITH TITLE 14, SUBTITLE 8, PART III OF THE TAX - PROPERTY
19 ARTICLE.

20 9-602.

21 (A) THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED TO ACCOMPLISH ITS
22 PURPOSES.

23 (B) THE POWERS GRANTED TO THE AUTHORITY UNDER THIS SECTION ARE
24 SUPPLEMENTAL TO POWERS GRANTED TO THE AUTHORITY UNDER OTHER LAW.

25 (C) THIS SUBTITLE DOES NOT AUTHORIZE THE AUTHORITY TO:

26 (1) EXERCISE THE POWER OF EMINENT DOMAIN; OR

27 (2) IMPOSE ANY TAX OR SPECIAL ASSESSMENT.

1 **9-603.**

2 (A) IN ACCORDANCE WITH THIS SUBTITLE, PRINCE GEORGE'S COUNTY MAY
3 ENACT A LAW THAT ESTABLISHES THE LAND BANK AUTHORITY OF PRINCE
4 GEORGE'S COUNTY.

5 (B) A LAW ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL
6 INCLUDE PROPOSED ARTICLES OF INCORPORATION OF THE AUTHORITY THAT
7 STATE:

8 (1) THAT THE AUTHORITY IS FORMED UNDER THIS SUBTITLE;

9 (2) THE NAMES, ADDRESSES, AND TERMS OF OFFICE OF THE INITIAL
10 MEMBERS OF THE BOARD;

11 (3) THE ADDRESS OF THE PRINCIPAL OFFICE OF THE AUTHORITY;

12 (4) THE PURPOSES FOR WHICH THE AUTHORITY IS FORMED; AND

13 (5) THE POWERS OF THE AUTHORITY SUBJECT TO THE LIMITATIONS
14 ON THE POWERS OF THE AUTHORITY UNDER THIS SUBTITLE.

15 (C) (1) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL
16 EXECUTE AND FILE THE ARTICLES OF INCORPORATION OF THE AUTHORITY FOR
17 RECORDATION WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.

18 (2) WHEN THE STATE DEPARTMENT OF ASSESSMENTS AND
19 TAXATION ACCEPTS THE ARTICLES OF INCORPORATION FOR RECORDATION, THE
20 AUTHORITY BECOMES A BODY POLITIC AND CORPORATE AND AN INSTRUMENTALITY
21 OF PRINCE GEORGE'S COUNTY.

22 (3) ACCEPTANCE OF THE ARTICLES OF INCORPORATION FOR
23 RECORDATION BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IS
24 CONCLUSIVE EVIDENCE OF THE FORMATION OF THE AUTHORITY.

25 (D) (1) PRINCE GEORGE'S COUNTY MAY ADOPT, BY LOCAL LAW, AN
26 AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE AUTHORITY.

27 (2) THE ARTICLES OF AMENDMENT MAY CONTAIN ANY PROVISION
28 THAT LAWFULLY COULD BE CONTAINED IN THE ARTICLES OF INCORPORATION AT
29 THE TIME OF THE AMENDMENT.

1 **(3) THE ARTICLES OF AMENDMENT SHALL BE FILED FOR**
2 **RECORDATION WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.**

3 **(4) THE ARTICLES OF AMENDMENT ARE EFFECTIVE AS OF THE TIME**
4 **THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION ACCEPTS THE**
5 **ARTICLES FOR RECORDATION.**

6 **(5) ACCEPTANCE OF THE ARTICLES OF AMENDMENT FOR**
7 **RECORDATION BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IS**
8 **CONCLUSIVE EVIDENCE THAT THE ARTICLES HAVE BEEN LAWFULLY AND PROPERLY**
9 **ADOPTED.**

10 **(E) (1) SUBJECT TO THE PROVISIONS OF THIS SECTION AND ANY**
11 **LIMITATIONS IMPOSED BY LAW ON THE IMPAIRMENT OF CONTRACTS, PRINCE**
12 **GEORGE'S COUNTY MAY ENACT A LOCAL LAW THAT:**

13 **(I) SETS OR CHANGES THE STRUCTURE, ORGANIZATION,**
14 **PROCEDURES, PROGRAMS, OR ACTIVITIES OF THE AUTHORITY; OR**

15 **(II) TERMINATES THE AUTHORITY.**

16 **(2) ON TERMINATION OF THE AUTHORITY:**

17 **(I) TITLE TO ALL PROPERTY OF THE AUTHORITY SHALL BE**
18 **TRANSFERRED TO AND SHALL VEST IN PRINCE GEORGE'S COUNTY; AND**

19 **(II) ALL OBLIGATIONS OF THE AUTHORITY SHALL BE**
20 **TRANSFERRED TO AND ASSUMED BY PRINCE GEORGE'S COUNTY.**

21 **9-604.**

22 **(A) A LAW ESTABLISHING THE AUTHORITY SHALL ESTABLISH A BOARD OF**
23 **DIRECTORS TO GOVERN THE AUTHORITY AND SHALL INCLUDE PROVISIONS FOR:**

24 **(1) APPOINTMENT PROCEDURES;**

25 **(2) TERM LENGTHS;**

26 **(3) REMOVAL PROCEDURES;**

27 **(4) ELECTION OF A CHAIR; AND**

28 **(5) POWERS OF THE BOARD.**

1 **(B) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**

2 **(1) THE DIRECTOR OF THE PRINCE GEORGE'S COUNTY**
3 **DEPARTMENT OF PERMITTING, INSPECTIONS, AND ENFORCEMENT, OR THE**
4 **DIRECTOR'S DESIGNEE;**

5 **(2) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,**
6 **OR THE SECRETARY'S DESIGNEE;**

7 **(3) THE PRESIDENT OF THE PRINCE GEORGE'S COUNTY COUNCIL,**
8 **OR THE PRESIDENT'S DESIGNEE;**

9 **(4) THE CHAIR OF THE PRINCE GEORGE'S COUNTY HOUSE**
10 **DELEGATION, OR THE CHAIR'S DESIGNEE;**

11 **(5) THE PRINCE GEORGE'S COUNTY EXECUTIVE, OR THE COUNTY**
12 **EXECUTIVE'S DESIGNEE;**

13 **(6) THE CHAIR OF THE MARYLAND ASSOCIATION OF BANKERS, OR**
14 **THE CHAIR'S DESIGNEE;**

15 **(7) THE PRESIDENT OF THE COLLECTIVE EMPOWERMENT GROUP,**
16 **OR THE PRESIDENT'S DESIGNEE; AND**

17 **(8) AN INDIVIDUAL REPRESENTING THE INTERESTS OF THE**
18 **NONPROFIT HOUSING COMMUNITY.**

19 **9-605.**

20 **(A) EXCEPT AS LIMITED BY THE AUTHORITY'S ARTICLES OF**
21 **INCORPORATION, THE AUTHORITY HAS ALL THE POWERS SET FORTH IN THIS**
22 **SUBTITLE.**

23 **(B) THE AUTHORITY MAY:**

24 **(1) ADOPT BYLAWS FOR THE CONDUCT OF BUSINESS OF THE**
25 **AUTHORITY;**

26 **(2) SUE AND BE SUED;**

27 **(3) MAINTAIN AN OFFICE AT A PLACE THE AUTHORITY DESIGNATES;**

1 **(4) BORROW MONEY;**

2 **(5) INVEST MONEY OF THE AUTHORITY IN INSTRUMENTS,**
3 **OBLIGATIONS, SECURITIES, OR PROPERTY;**

4 **(6) ENTER INTO CONTRACTS AND EXECUTE THE INSTRUMENTS OR**
5 **AGREEMENTS NECESSARY OR CONVENIENT TO CARRY OUT THIS SUBTITLE OR ANY**
6 **LOCAL LAW ADOPTED UNDER THIS SUBTITLE TO ACCOMPLISH THE AUTHORITY'S**
7 **PURPOSES;**

8 **(7) EXCEPT AS PROHIBITED BY ANY FEDERAL, STATE, OR LOCAL LAW,**
9 **SOLICIT AND ACCEPT GIFTS, GRANTS, LOANS, OR OTHER ASSISTANCE IN ANY FORM**
10 **FROM ANY PUBLIC OR PRIVATE SOURCE, SUBJECT TO THE PROVISIONS OF THIS**
11 **SUBTITLE OR ANY LOCAL LAW ENACTED IN ACCORDANCE WITH THIS SUBTITLE;**

12 **(8) PARTICIPATE IN A PROGRAM OF THE FEDERAL GOVERNMENT, THE**
13 **STATE, A POLITICAL SUBDIVISION OF THE STATE, OR AN INTERGOVERNMENTAL**
14 **ENTITY CREATED UNDER THE LAWS OF THE STATE;**

15 **(9) CONTRACT FOR GOODS AND SERVICES;**

16 **(10) STUDY, DEVELOP, AND PREPARE REPORTS OR PLANS TO ASSIST IN**
17 **THE AUTHORITY'S EXERCISE OF POWERS AND TO MONITOR AND EVALUATE THE**
18 **AUTHORITY'S PROGRESS;**

19 **(11) CONTRACT WITH PUBLIC OR PRIVATE ENTITIES FOR THE**
20 **PROVISION OF SERVICES NECESSARY FOR THE MANAGEMENT AND OPERATION OF**
21 **THE AUTHORITY;**

22 **(12) PROVIDE ACQUISITION, MANAGEMENT, AND SALE SERVICES FOR**
23 **PRINCE GEORGE'S COUNTY FOR COUNTY-OWNED PROPERTY;**

24 **(13) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION, A**
25 **LIMITED LIABILITY COMPANY, A PARTNERSHIP, OR ANY OTHER ENTITY, WHETHER**
26 **OPERATED FOR PROFIT OR NOT FOR PROFIT, FOR THE PURPOSES OF DEVELOPING**
27 **PROPERTY IN ORDER TO MAXIMIZE MARKETABILITY;**

28 **(14) EXERCISE ANY POWER USUALLY POSSESSED BY A PRIVATE**
29 **CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD**
30 **CONFLICT WITH STATE LAW; AND**

1 **(15) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE**
2 **POWERS EXPRESSLY GRANTED BY THIS SUBTITLE OR BY ANY LOCAL LAW ENACTED**
3 **UNDER THIS SUBTITLE.**

4 **(C) THE AUTHORITY MAY DELEGATE TO A MEMBER OR OFFICER ANY POWER**
5 **GRANTED TO THE AUTHORITY BY THIS SUBTITLE, INCLUDING THE POWER TO**
6 **EXECUTE ANY OBLIGATION, CERTIFICATE, DEED, LEASE, MORTGAGE AGREEMENT,**
7 **OR OTHER DOCUMENT OR INSTRUMENT.**

8 **9-606.**

9 **(A) THE AUTHORITY MAY:**

10 **(1) ACQUIRE, DIRECTLY OR INDIRECTLY, BY GIFT, DEVISE,**
11 **TRANSFER, EXCHANGE, FORECLOSURE, PURCHASE, OR OTHERWISE ON TERMS AND**
12 **CONDITIONS AND IN A MANNER THE AUTHORITY CONSIDERS PROPER, REAL**
13 **PROPERTY OR RIGHTS OR INTERESTS IN REAL PROPERTY;**

14 **(2) OWN IN THE AUTHORITY'S NAME PROPERTY ACQUIRED BY OR**
15 **CONVEYED TO THE AUTHORITY BY THE STATE, A LOCAL GOVERNMENT, AN**
16 **INTERGOVERNMENTAL AGENCY CREATED UNDER THE LAWS OF THE STATE, OR ANY**
17 **OTHER PUBLIC OR PRIVATE PERSON, INCLUDING TAX FORECLOSED PROPERTY AND**
18 **PROPERTY WITHOUT CLEAR TITLE;**

19 **(3) SELL, LEASE AS LESSOR, TRANSFER, AND DISPOSE OF THE**
20 **AUTHORITY'S PROPERTY OR INTEREST IN PROPERTY;**

21 **(4) PROCURE INSURANCE AGAINST LOSS IN CONNECTION WITH THE**
22 **PROPERTY, ASSETS, OR ACTIVITIES OF THE AUTHORITY; AND**

23 **(5) EXECUTE DEEDS, MORTGAGES, CONTRACTS, LEASES, PURCHASES,**
24 **OR OTHER AGREEMENTS REGARDING THE PROPERTY OF THE AUTHORITY.**

25 **(B) PROPERTY PURCHASED, OWNED, OR SOLD UNDER THIS SECTION MAY**
26 **NOT BE LOCATED OUTSIDE PRINCE GEORGE'S COUNTY.**

27 **9-607.**

28 **THE AUTHORITY MAY:**

29 **(1) EMPLOY STAFF AND RETAIN CONSULTANTS AS EMPLOYEES OR**
30 **AGENTS THAT THE AUTHORITY CONSIDERS NECESSARY; AND**

1 **(2) SET COMPENSATION FOR EMPLOYEES AND CONSULTANTS.**

2 **9-608.**

3 **A COURT OF COMPETENT JURISDICTION MAY APPOINT THE AUTHORITY TO**
4 **SERVE AS A RECEIVER IN A RECEIVERSHIP PROCEEDING FILED IN PRINCE**
5 **GEORGE'S COUNTY.**

6 **9-609.**

7 **(A) THE AUTHORITY SHALL:**

8 **(1) ADOPT A CODE OF ETHICS FOR THE AUTHORITY'S DIRECTORS,**
9 **OFFICERS, AND EMPLOYEES;**

10 **(2) ESTABLISH POLICIES AND PROCEDURES REQUIRING THE**
11 **DISCLOSURE OF RELATIONSHIPS THAT MAY GIVE RISE TO A CONFLICT OF INTEREST,**
12 **INCLUDING REQUIRING THAT ANY MEMBER OF THE BOARD WITH A DIRECT OR**
13 **INDIRECT INTEREST IN A MATTER BEFORE THE AUTHORITY DISCLOSE THE**
14 **MEMBER'S INTEREST TO THE BOARD BEFORE THE BOARD TAKES ANY ACTION ON**
15 **THE MATTER; AND**

16 **(3) COMPLY WITH THE STATE OPEN MEETINGS ACT UNDER TITLE 3**
17 **OF THE GENERAL PROVISIONS ARTICLE.**

18 **(B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE OR THE LAW**
19 **ESTABLISHING THE AUTHORITY, THE PROCEDURES OF PRINCE GEORGE'S COUNTY**
20 **CONTROL ANY MATTER RELATING TO THE INTERNAL ADMINISTRATION OF THE**
21 **AUTHORITY.**

22 **9-610.**

23 **(A) THE AUTHORITY MAY EXERCISE THE POWERS GRANTED TO PRINCE**
24 **GEORGE'S COUNTY UNDER TITLE 14, SUBTITLE 8 OF THE TAX - PROPERTY**
25 **ARTICLE.**

26 **(B) THE LOCAL LAW CREATING THE AUTHORITY MAY CONFER THE SAME**
27 **IMMUNITIES AS PRINCE GEORGE'S COUNTY.**

28 **9-611.**

29 **(A) WITH RESPECT TO PROPERTY HELD OR OWNED BY THE AUTHORITY,**
30 **THE AUTHORITY MAY:**

1 **(1) GRANT OR ACQUIRE A LICENSE, AN EASEMENT, OR AN OPTION;**

2 **(2) FIX, CHARGE, AND COLLECT RENTS, FEES, AND CHARGES FOR USE**
3 **OF THE PROPERTY;**

4 **(3) PAY TAXES OR SPECIAL ASSESSMENTS DUE;**

5 **(4) TAKE ANY ACTION, PROVIDE ANY NOTICE, OR INSTITUTE ANY**
6 **PROCEEDING REQUIRED TO CLEAR OR QUIET TITLE IN ORDER TO ESTABLISH**
7 **OWNERSHIP BY AND VEST TITLE TO PROPERTY IN THE AUTHORITY;**

8 **(5) ABATE VIOLATIONS OF THE LOCAL AND STATE BUILDING, FIRE,**
9 **HEALTH, AND RELATED CODES; AND**

10 **(6) HOLD, MANAGE, MAINTAIN, OPERATE, REPAIR, LEASE AS LESSOR,**
11 **SECURE, PREVENT THE WASTE OR DETERIORATION OF, DEMOLISH, AND TAKE ALL**
12 **OTHER ACTIONS NECESSARY TO PRESERVE THE VALUE OF THE PROPERTY THE**
13 **AUTHORITY HOLDS OR OWNS.**

14 **(B) THE AUTHORITY SHALL BE MADE A PARTY TO AND SHALL DEFEND ANY**
15 **ACTION OR PROCEEDING CONCERNING CLAIMS AGAINST PROPERTY HELD BY THE**
16 **AUTHORITY.**

17 **9-612.**

18 **(A) PROPERTY HELD BY THE AUTHORITY SHALL BE INVENTORIED AND**
19 **CLASSIFIED ACCORDING TO TITLE STATUS AND SUITABILITY FOR USE.**

20 **(B) A REGISTER OF DEEDS IN PRINCE GEORGE'S COUNTY MAY NOT CHARGE**
21 **A FEE TO RECORD A DOCUMENT EVIDENCING THE TRANSFER UNDER THIS SUBTITLE**
22 **OF PROPERTY TO THE AUTHORITY BY THE STATE OR PRINCE GEORGE'S COUNTY.**

23 **9-613.**

24 **(A) FOLLOWING AN UNSUCCESSFUL ATTEMPT ON THE PART OF PRINCE**
25 **GEORGE'S COUNTY TO COLLECT OUTSTANDING LIENS AT TAX SALE AND SUBJECT**
26 **TO THE APPROVAL OF THE TAX COLLECTING UNIT OF PRINCE GEORGE'S COUNTY,**
27 **THE AUTHORITY MAY ACCEPT FROM A PERSON WITH AN INTEREST IN A PARCEL OF**
28 **TAX DELINQUENT PROPERTY OR TAX SALE PROPERTY A DEED OR ASSIGNMENT**
29 **CONVEYING THAT PERSON'S INTEREST IN THE PROPERTY INSTEAD OF:**

1 **(1) THE FORECLOSURE OR SALE OF THE PROPERTY FOR DELINQUENT**
2 **TAXES, PENALTIES, AND INTEREST, AS DEFINED BY § 14-801(C) OF THE**
3 **TAX – PROPERTY ARTICLE; OR**

4 **(2) DELINQUENT SPECIFIC TAXES LEVIED BY A LOCAL TAXING**
5 **JURISDICTION.**

6 **(B) EXCEPT AS OTHERWISE PROVIDED BY LAW, CONVEYANCE OF PROPERTY**
7 **BY DEED INSTEAD OF FORECLOSURE UNDER THIS SECTION MAY NOT AFFECT OR**
8 **IMPAIR ANY OTHER LIEN AGAINST THE PROPERTY OR ANY EXISTING RECORDED OR**
9 **UNRECORDED INTEREST IN THE PROPERTY, INCLUDING:**

10 **(1) FUTURE INSTALLMENTS OF SPECIAL ASSESSMENTS;**

11 **(2) LIENS RECORDED BY THE STATE;**

12 **(3) EASEMENTS OR RIGHTS-OF-WAY;**

13 **(4) PRIVATE DEED RESTRICTIONS;**

14 **(5) SECURITY INTERESTS AND MORTGAGES; OR**

15 **(6) TAX LIENS OF OTHER TAXING JURISDICTIONS THAT DO NOT**
16 **CONSENT TO A RELEASE OF THEIR LIENS.**

17 **(C) A TAX LIEN AGAINST PROPERTY HELD BY OR UNDER THE CONTROL OF**
18 **THE AUTHORITY MAY BE RELEASED OR ABATED AT ANY TIME BY:**

19 **(1) PRINCE GEORGE’S COUNTY, WITH RESPECT TO A LIEN HELD BY**
20 **THE COUNTY;**

21 **(2) THE GOVERNING BODY OF ANY TAXING JURISDICTION OTHER**
22 **THAN THE STATE, COUNTY, OR MUNICIPAL CORPORATION WITH RESPECT TO A LIEN**
23 **HELD BY THE TAXING JURISDICTION;**

24 **(3) A PUBLIC WATER OR SEWER AUTHORITY WITH RESPECT TO A TAX**
25 **LIEN OR RIGHT TO COLLECT A TAX HELD BY THE PUBLIC WATER OR SEWER**
26 **AUTHORITY; OR**

27 **(4) THE STATE COMPTROLLER WITH RESPECT TO A STATE TAX LIEN.**

28 **9-614.**

1 (A) MONEY RECEIVED BY THE AUTHORITY AS PAYMENT OF TAXES,
2 PENALTIES, OR INTEREST, OR FROM THE REDEMPTION OR SALE OF PROPERTY
3 SUBJECT TO A TAX LIEN OF ANY TAXING UNIT, SHALL BE RETURNED TO THE LOCAL
4 TAX COLLECTING UNIT IN THE JURISDICTION WHERE THE PROPERTY IS LOCATED
5 FOR DISTRIBUTION ON A PRO RATA BASIS TO THE APPROPRIATE TAXING UNITS IN
6 AN AMOUNT EQUAL TO DELINQUENT TAXES, PENALTIES, AND INTEREST OWED ON
7 THE PROPERTY.

8 (B) PROCEEDS RECEIVED BY THE AUTHORITY MAY BE RETAINED BY THE
9 AUTHORITY FOR THE PURPOSES OF THIS SUBTITLE, UNLESS OTHERWISE
10 DESIGNATED BY:

11 (1) THIS SUBTITLE;

12 (2) THE PROVISIONS OF A DEED;

13 (3) ANY OTHER LAW; OR

14 (4) AN AGREEMENT OF THE AUTHORITY.

15 9-615.

16 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE
17 AUTHORITY IS EXEMPT FROM ANY REQUIREMENT TO PAY STATE OR LOCAL TAXES
18 OR ASSESSMENTS ON THE AUTHORITY'S PROPERTIES, ACTIVITIES, OR ANY REVENUE
19 FROM THE PROPERTIES OR ACTIVITIES.

20 (B) PROPERTY THAT THE AUTHORITY SELLS OR LEASES TO A PRIVATE
21 ENTITY IS SUBJECT TO STATE AND LOCAL PROPERTY TAXES FROM THE TIME OF
22 SALE OR LEASE.

23 (C) THE PRINCIPAL OF AND INTEREST ON BONDS, THE TRANSFER OF
24 BONDS, AND ANY INCOME DERIVED FROM THE BONDS, INCLUDING PROFITS MADE
25 ON THEIR SALE OR TRANSFER, ARE EXEMPT FROM ALL STATE AND LOCAL TAXES.

26 9-616.

27 (A) THE AUTHORITY MAY BRING A CIVIL ACTION TO PREVENT, RESTRAIN,
28 OR ENJOIN THE WASTE OR UNLAWFUL REMOVAL OF ANY PROPERTY FROM REAL
29 PROPERTY HELD BY THE AUTHORITY.

30 (B) (1) THE AUTHORITY SHALL BE MADE A PARTY TO ANY ACTION OR
31 PROCEEDING INSTITUTED FOR THE PURPOSE OF SETTING ASIDE TITLE TO

1 PROPERTY HELD BY THE AUTHORITY OR FOR THE SALE OF PROPERTY BY THE
2 AUTHORITY.

3 (2) A HEARING IN ANY SUCH PROCEEDING MAY NOT BE HELD UNTIL
4 THE AUTHORITY IS SERVED IN ACCORDANCE WITH THE MARYLAND RULES.

5 9-617.

6 (A) PROPERTY OF THE AUTHORITY IS PUBLIC PROPERTY DEVOTED TO AN
7 ESSENTIAL PUBLIC AND GOVERNMENTAL FUNCTION AND PURPOSE.

8 (B) INCOME OF THE AUTHORITY IS CONSIDERED TO BE FOR A PUBLIC AND
9 GOVERNMENTAL PURPOSE.

10 9-618.

11 THE AUTHORITY IS SUBJECT TO ANY LOCAL:

12 (1) ZONING LAWS;

13 (2) PERMITTING PROCESSES FOR CONSTRUCTION, DEMOLITION, OR
14 REPAIR OF A PROPERTY; AND

15 (3) LAND USE CONTROLS.

16 9-619.

17 THE AUTHORITY SHALL REPORT ANNUALLY TO THE COUNTY EXECUTIVE AND
18 COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY AND, IN ACCORDANCE WITH
19 § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON
20 THE ACTIVITIES OF THE AUTHORITY.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2017.