

# HOUSE BILL 499

B1, N1

1lr0671

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By: **Delegate Rosenberg**

Introduced and read first time: January 15, 2021

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Rental Housing Restitution Fund – Establishment**

3 FOR the purpose of establishing the Rental Housing Restitution Fund as a special,  
4 nonlapsing fund; specifying the purpose of the Fund; requiring the Attorney General  
5 to administer the Fund; requiring the State Treasurer to hold the Fund and the  
6 Comptroller to account for the Fund; specifying the contents of the Fund; specifying  
7 the purpose for which the Fund may be used; providing for the investment of money  
8 in and expenditures from the Fund; requiring interest earnings of the Fund to be  
9 credited to the Fund; exempting the Fund from a certain provision of law requiring  
10 interest earnings on State money to accrue to the General Fund of the State; defining  
11 a certain term; and generally relating to the Rental Housing Restitution Fund.

12 BY repealing and reenacting, without amendments,  
13 Article – State Finance and Procurement  
14 Section 6–226(a)(2)(i)  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume and 2020 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – State Finance and Procurement  
19 Section 6–226(a)(2)(ii)122. and 123.  
20 Annotated Code of Maryland  
21 (2015 Replacement Volume and 2020 Supplement)

22 BY adding to  
23 Article – State Finance and Procurement  
24 Section 6–226(a)(2)(ii)124. and 7–332  
25 Annotated Code of Maryland  
26 (2015 Replacement Volume and 2020 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Finance and Procurement**

4 6–226.

5 (a) (2) (i) Notwithstanding any other provision of law, and unless  
6 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
7 terms of a gift or settlement agreement, net interest on all State money allocated by the  
8 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
9 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
10 Fund of the State.

11 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
12 to the following funds:

13 122. the Racing and Community Development Financing Fund;  
14 [and]

15 123. the Racing and Community Development Facilities Fund;  
16 AND

17 124. **THE RENTAL HOUSING RESTITUTION FUND.**

18 7–332.

19 (A) **IN THIS SECTION, “FUND” MEANS THE RENTAL HOUSING RESTITUTION**  
20 **FUND.**

21 (B) **THERE IS A RENTAL HOUSING RESTITUTION FUND.**

22 (C) **THE PURPOSE OF THE FUND IS TO PROVIDE RENTAL ASSISTANCE AND**  
23 **LEGAL ASSISTANCE TO INDIVIDUALS FACING A POTENTIAL RENTAL RESIDENTIAL**  
24 **PROPERTY EVICTION.**

25 (D) **THE ATTORNEY GENERAL SHALL ADMINISTER THE FUND.**

26 (E) (1) **THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
27 **SUBJECT TO § 7–302 OF THIS SUBTITLE.**

28 (2) **THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**  
29 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

30 (F) **THE FUND CONSISTS OF:**

1           **(1) ALL FUNDS, EXCLUDING FUNDS RECEIVED BY THE AGGRIEVED**  
2 **PARTY AND THE COSTS OF THE ACTION THE ATTORNEY GENERAL IS ENTITLED TO**  
3 **RECOVER, RECEIVED BY THE DIVISION OF CONSUMER PROTECTION IN THE OFFICE**  
4 **OF THE ATTORNEY GENERAL FROM ANY SETTLEMENT OR AGREEMENT WITH OR**  
5 **JUDGMENT AGAINST A PARTY RELATING TO AN INVESTIGATION OR ENFORCEMENT**  
6 **OF THE MARYLAND CONSUMER PROTECTION ACT FOR AN UNFAIR, ABUSIVE, OR**  
7 **DECEPTIVE TRADE PRACTICE FOR RENTAL RESIDENTIAL PROPERTY; AND**

8           **(2) INTEREST EARNINGS OF THE FUND.**

9           **(G) THE FUND MAY BE USED ONLY FOR RENTAL ASSISTANCE AND LEGAL**  
10 **ASSISTANCE TO INDIVIDUALS FACING A POTENTIAL RENTAL RESIDENTIAL**  
11 **PROPERTY EVICTION.**

12           **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
13 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

14           **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
15 **THE FUND.**

16           **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
17 **WITH THE STATE BUDGET.**

18           **(J) MONEY EXPENDED FROM THE FUND FOR THE ASSISTANCE DESCRIBED**  
19 **UNDER SUBSECTION (G) OF THIS SECTION IS SUPPLEMENTAL TO AND IS NOT**  
20 **INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE**  
21 **APPROPRIATED FOR THE ASSISTANCE.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2021.