

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 39 (Delegate Queen)
Appropriations

Report on the Public or Private Conversion of State Property to Affordable
Housing

This bill requires the Maryland Department of Planning (MDP) and the Department of General Services (DGS), in partnership with the Department of Housing and Community Development (DHCD), to report on strategies for the public or private development and use of surplus real property and excess real property retained for possible future use by the State as affordable housing. By June 30, 2023, the departments must report to the Board of Public Works (BPW), the Legislative Policy Committee, the Senate Budget and Taxation Committee, and the House Appropriations Committee. **The bill takes effect July 1, 2022, and terminates June 30, 2024.**

Fiscal Summary

State Effect: None. As MDP maintains an inventory of State-owned real property that is available for public use, it can complete the required report with existing resources, with assistance provided by DGS and DHCD as needed. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The report must include (1) an inventory of improved and unimproved real property determined by BPW to be in surplus of the needs of the State; (2) an inventory of improved and unimproved real property retained for possible future use by the State; (3) recommendations to facilitate the public or private development and use of surplus real

property and excess real property retained for possible future use by the State as affordable housing, including identification of specific properties; (4) recommendations for legislative and regulatory changes; and (5) an analysis of federal and State funds available for the conversion of existing public real property to affordable housing by public or private parties.

The report must highlight properties and emphasize recommendations that facilitate the development of affordable housing near public transportation, existing commercial developments, and commercial developments for which all permits have been issued. For the purposes of the report, improved or unimproved real property is considered to be near public transportation if (1) the property is in a transit-oriented development or (2) any part of the property is located within one-half mile of the passenger boarding and alighting location of a planned or existing transit station.

Current Law:

Excess Real Property – Notification and Reporting

Each unit of State government must notify MDP in writing of any real property that is in excess of the needs of the unit, or any substantial change to any real property owned by the State. MDP must (1) study the proper disposition of the property; (2) determine whether any local government or unit of the State government is interested in the property; and (3) make an appropriate recommendation to the using unit of the State government and to BPW.

When a unit notifies MDP, the unit must include with the notification specified information relating to the property, and the information must be made available by the unit or MDP upon request. After MDP receives notice from a unit of State government, MDP must notify (1) specified committees of the General Assembly; (2) the General Assembly members who represent the legislative district in which the property is located; and (3) owners of property adjacent to the property declared excess, as specified.

Information Concerning Real Property and Inventory Lists

MDP must (1) be a repository and clearinghouse for information about real property available for public use and (2) correlate information concerning real property owned by the State or any subdivision of the State. MDP must maintain a current, updated list of real property owned by the State or any political subdivision of the State. The list must include pertinent details concerning size, facilities, and value. A copy of the list and any related information must be provided to any State agency and the General Assembly upon request.

MDP must also prepare and periodically revise inventory lists of the natural resources of the State and major public works and private facilities that are important to the development of the State as a whole. A copy of the inventory must be provided to any State agency and the General Assembly upon request.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of General Services; Department of Housing and Community Development; Maryland Department of Planning; Board of Public Works; Department of Legislative Services

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