

SENATE BILL 308

C9

(PRE-FILED)

4r4522
CF HB 241

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Housing and Community Development)**

Requested: September 18, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 23, 2024

CHAPTER _____

1 AN ACT concerning

2 **Housing and Community Development – Just Community Designation**

3 FOR the purpose of authorizing the Governor, on the recommendation of the Secretary of
4 Housing and Community Development, to designate certain areas as Just
5 Communities based on certain criteria; providing for the prioritization of State
6 funding for Just Communities; and generally relating to Just Communities.

7 BY adding to

8 Article – Housing and Community Development

9 Section 6–1201 through 6–1203 to be under the new subtitle “Subtitle 12. Just
10 Community Designation”

11 Annotated Code of Maryland

12 (2019 Replacement Volume and 2023 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Housing and Community Development**

16 **SUBTITLE 12. JUST COMMUNITY DESIGNATION.**

17 **6–1201.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
2 **INDICATED.**

3 **(B) “JUST COMMUNITY” MEANS THE PART OF A PRIORITY FUNDING AREA**
4 **THAT, AS DETERMINED BY THE GOVERNOR, SATISFIES THE REQUIREMENTS OF §**
5 **6–1203 OF THIS SUBTITLE.**

6 **(C) “PRIORITY FUNDING AREA” MEANS AN AREA DESIGNATED AS A**
7 **PRIORITY FUNDING AREA UNDER § 5–7B–02 OF THE STATE FINANCE AND**
8 **PROCUREMENT ARTICLE.**

9 **6–1202.**

10 **(A) THE GENERAL ASSEMBLY FINDS THAT THE STATE MUST HAVE JUST**
11 **COMMUNITIES IN ORDER TO:**

12 **(1) AFFIRMATIVELY ADVANCE EQUITY, CIVIL RIGHTS, RACIAL**
13 **JUSTICE, AND EQUAL OPPORTUNITY IN THE STATE;**

14 **(2) CREATE OPPORTUNITIES FOR THE IMPROVEMENT OF**
15 **COMMUNITIES THAT HAVE BEEN HISTORICALLY UNDERSERVED, WITH ANTICIPATED**
16 **BENEFITS FOR THE ENTIRE STATE; AND**

17 **(3) RIGHT THE WRONGS OF THE PAST, WHEN THE STATE**
18 **SYSTEMATICALLY EXCLUDED CERTAIN GROUPS FROM EQUAL PARTICIPATION IN**
19 **THE BENEFITS OF PUBLIC RESOURCES.**

20 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE JUST**
21 **COMMUNITY DESIGNATION BE USED TO PRIORITIZE STATE FUNDING TO INCREASE**
22 **RACIAL, ECONOMIC, AND HEALTH EQUITY IN THE STATE.**

23 **6–1203.**

24 **(A) THE GOVERNOR, ON THE RECOMMENDATION OF THE SECRETARY, MAY**
25 **DESIGNATE AN AREA AS A JUST COMMUNITY IF THE SECRETARY DEMONSTRATES**
26 **THAT:**

27 **(1) PAST AND CURRENT TRENDS IN HOMEOWNERSHIP, PROPERTY**
28 **VALUES, COMMERCIAL AND RESIDENTIAL VACANCY, AND BUSINESS OR HOUSING**
29 **INVESTMENT SHOW A NEED FOR REINVESTMENT IN THE AREA; AND**

30 **(2) THE AREA HAS BEEN NEGATIVELY IMPACTED BY A HISTORY OF:**

1 (I) FORMS OF LEGAL RACIAL SEGREGATION INCLUDING
2 REDLINING, EXCLUSIONARY ZONING, OR RACIALLY RESTRICTIVE COVENANTS;

3 (II) THE DEMOLITION OF RESIDENTIAL NEIGHBORHOODS
4 THROUGH THE USE OF EMINENT DOMAIN OR STATE OR FEDERAL FUNDING;

5 (III) A STATE IMPRISONMENT RATE HIGHER THAN 750 PER
6 100,000 PERSONS; OR

7 (IV) UNEQUAL EXPOSURE TO ENVIRONMENTAL AND HEALTH
8 HAZARDS, INCLUDING:

9 1. PROXIMITY TO A FEDERAL SUPERFUND SITE;

10 2. ESTIMATED EXPOSURE TO LEAD-BASED PAINT; AND

11 3. RATES OF ASTHMA AMONG ADULTS THAT ARE HIGHER
12 THAN THE 90TH PERCENTILE FOR THE STATE.

13 (B) TO MAINTAIN A JUST COMMUNITY DESIGNATION, EVERY 5 YEARS THE
14 SECRETARY SHALL MAKE DESIGNATION RECOMMENDATIONS FOR APPROVAL BY
15 THE GOVERNOR IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

16 (C) AT THE TIME JUST COMMUNITIES ARE DESIGNATED OR RENEWED, THE
17 GOVERNOR SHALL IDENTIFY STATE PROGRAMS UNDER WHICH A JUST COMMUNITY
18 SHALL RECEIVE PRIORITY FOR STATE FUNDING.

19 (D) THE PRIORITIZATION OF STATE FUNDING FOR JUST COMMUNITIES
20 UNDER SUBSECTION (C) OF THIS SECTION SHALL NOT SUPERSEDE OTHER PROGRAM
21 REQUIREMENTS SPECIFIED IN STATE LAW.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.