

HOUSE BILL 390

Q1, C9

5lr0894
CF SB 327

By: **Delegates Korman, Fair, Palakovich Carr, and Stewart**

Introduced and read first time: January 16, 2025

Assigned to: Ways and Means and Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2025

CHAPTER _____

1 AN ACT concerning

2 **Affordable Housing Payment In Lieu of Taxes Expansion Act**

3 FOR the purpose of authorizing an owner of real property used for rental housing and the
4 governing body of a county to enter into a payment in lieu of taxes agreement for
5 maintaining at least a certain percentage of affordable dwelling units at the property
6 for at least a certain period of time; and generally relating to payment in lieu of taxes
7 agreements for affordable housing.

8 BY repealing and reenacting, without amendments,
9 Article – Land Use
10 Section 7–501(a), (b), (c), and (d)
11 Annotated Code of Maryland
12 (2012 Volume and 2024 Supplement)

13 BY adding to
14 Article – Tax – Property
15 Section 7–522
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2024 Supplement)

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

20 **Article – Land Use**

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 7-501.

2 (a) In this subtitle the following words have the meanings indicated.

3 (b) “Affordable” means that housing costs do not exceed 30% of a household’s
4 income.

5 (c) “Affordable dwelling unit” means a dwelling unit that is affordable to
6 households earning 60% or less of the area median income.

7 (d) “Area median income” means the median household income for the area
8 adjusted for household size as published and annually updated by the U.S. Department of
9 Housing and Urban Development.

10 **Article – Tax – Property**

11 **7-522.**

12 (A) IN THIS SECTION, “AFFORDABLE DWELLING UNIT” HAS THE MEANING
13 STATED IN § 7-501 OF THE LAND USE ARTICLE.

14 (B) REAL PROPERTY THAT IS USED FOR RENTAL HOUSING MAY BE EXEMPT
15 FROM COUNTY PROPERTY TAX IF:

16 (1) THE OWNER OF THE REAL PROPERTY AND THE GOVERNING BODY
17 OF THE COUNTY AGREE THAT THE OWNER SHALL PAY A NEGOTIATED AMOUNT IN
18 LIEU OF THE COUNTY PROPERTY TAX; AND

19 (2) THE OWNER OF THE REAL PROPERTY ENTERS INTO AN
20 AGREEMENT WITH THE GOVERNING BODY OF THE COUNTY TO MAINTAIN AT LEAST
21 ~~50%~~ 25% OF THE RENTAL HOUSING UNITS LOCATED AT THE REAL PROPERTY AS
22 AFFORDABLE DWELLING UNITS FOR A PERIOD OF AT LEAST 15 YEARS.

23 (C) IN AN AGREEMENT UNDER THIS SECTION, THE GOVERNING BODY OF
24 THE COUNTY MAY REQUIRE THE OWNER OF REAL PROPERTY TO MAINTAIN A HIGHER
25 PERCENTAGE OF RENTAL HOUSING UNITS AS AFFORDABLE DWELLING UNITS THAN
26 THE MINIMUM PERCENTAGE SPECIFIED IN SUBSECTION (B)(2) OF THIS SECTION.

27 ~~(C)~~ (D) REAL PROPERTY DESCRIBED IN SUBSECTION (B) OF THIS
28 SECTION IS EXEMPT WHEN THE REQUIREMENTS OF SUBSECTION (B) OF THIS
29 SECTION ARE MET.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
31 1, 2025, and shall be applicable to all taxable years beginning after June 30, 2025.