

# HOUSE BILL 716

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5lR0149  
CF 5lR0150

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

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2025

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Housing and Community Development – Statewide Rental Assistance Voucher**  
3 **Program Eligibility – Alterations**

4 FOR the purpose of including the Department of Housing and Community Development in  
5 the definition of “public housing agency” for the purpose of certain provisions of law  
6 relating to the Statewide Rental Assistance Voucher Program; authorizing a public  
7 housing agency to administer the Program in accordance with a local administrative  
8 plan; authorizing the Department to project-base up to a certain amount of its  
9 authorized voucher units; altering the manner in which the Department and each  
10 public housing agency shall prioritize vouchers and housing assistance payments for  
11 certain families; ~~altering the percentage of monthly adjusted gross income for rent~~  
12 ~~and utilities a family assisted under the Program shall be expected to pay~~; altering  
13 the time at which the Department or a public housing agency shall make a certain  
14 determination; altering certain inspection schedule and standard requirements;  
15 altering the amount the Department shall issue to each public housing agency each  
16 year for certain purposes; and generally relating to the Statewide Rental Assistance  
17 Voucher Program.

18 BY repealing and reenacting, without amendments,  
19 Article – Housing and Community Development  
20 Section 4–2901(a) and 4–2902  
21 Annotated Code of Maryland  
22 (2019 Replacement Volume and 2024 Supplement)

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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 BY repealing and reenacting, with amendments,  
 2 Article – Housing and Community Development  
 3 Section 4–2901(i), ~~4–2904(a)~~ 4–2904, 4–2906, 4–2908(b), 4–2911, and 4–2919  
 4 Annotated Code of Maryland  
 5 (2019 Replacement Volume and 2024 Supplement)

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

8 **Article – Housing and Community Development**

9 4–2901.

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

11 (i) **[(1)]** “Public housing agency” means an entity authorized by the U.S.  
 12 Department of Housing and Urban Development to administer the federal Housing Choice  
 13 Voucher Program in the State.

14 **[(2)]** “Public housing agency” does not include the Department.]

15 4–2902.

16 There is a Statewide Rental Assistance Voucher Program in the Department.

17 4–2904.

18 (a) (1) In political subdivisions without a local administrator under the federal  
 19 Housing Choice Voucher Program, the Department shall administer the State Program and  
 20 issue vouchers and housing assistance payments to assist low–income households that are  
 21 eligible for but are not currently receiving housing choice vouchers under the federal  
 22 Housing Choice Voucher Program.

23 (2) In political subdivisions with a public housing agency–administrator  
 24 under the federal Housing Choice Voucher Program, the public housing agency:

25 **(I)** shall administer the State Program and issue vouchers and  
 26 housing assistance payments to assist low–income households that are eligible for but are  
 27 not currently receiving housing choice vouchers under the federal Housing Choice Voucher  
 28 Program; **AND**

29 **(II) MAY, SUBJECT TO SUBSECTION (B) OF THIS SECTION,**  
 30 **ADMINISTER THE STATE PROGRAM IN ACCORDANCE WITH THE LOCAL**  
 31 **ADMINISTRATIVE PLAN OF THE PUBLIC HOUSING AGENCY.**

1           **(3) THE DEPARTMENT MAY PROJECT-BASE UP TO 100% OF ITS**  
2 **AUTHORIZED VOUCHER UNITS IF NECESSARY TO ADMINISTER THE STATE**  
3 **PROGRAM, INCLUDING IN POLITICAL SUBDIVISIONS WITHOUT A LOCAL**  
4 **ADMINISTRATOR UNDER THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM.**

5           **(b) Except as otherwise provided in this subtitle, the State Program shall be**  
6 **administered in accordance with federal guidelines under the federal Housing Choice**  
7 **Voucher Program.**

8 4-2906.

9           **[The Department and each] EACH** public housing agency shall **[equally]** prioritize  
10 vouchers and housing assistance payments for families that include:

- 11           (1) a child who is under the age of 18 years;
- 12           (2) a foster child who is:
- 13                 (i) at least 18 years old; but
- 14                 (ii) under the age of 24 years;
- 15           (3) a military veteran;
- 16           (4) an individual experiencing homelessness;
- 17           (5) a disabled individual; or
- 18           (6) an elderly individual.

19 4-2908.

20           **(b) A family assisted under the State Program shall be expected to pay not more**  
21 **than ~~[30%]40%~~ of its monthly adjusted gross income for rent and utilities, as determined**  
22 **by [the Department or] the public housing agency AT THE TIME THE FAMILY INITIALLY**  
23 **RECEIVES ASSISTANCE UNDER THE STATE PROGRAM, EXCEPT AS OTHERWISE**  
24 **PROVIDED IN THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM.**

25 4-2911.

26           **(a) (1) [The Department or a] A** public housing agency shall conduct **[annual]**  
27 **AN INITIAL INSPECTION AND PERIODIC** inspections **THEREAFTER** of each unit rented  
28 using housing assistance payments to ensure the continued compliance with federal  
29 housing quality standards under 24 C.F.R. § 982.401 **OR 24 C.F.R. § 5.703, AS**  
30 **APPLICABLE.**

1           (2) Inspections shall occur on or before the initial lease date and [each  
2 year] **AT LEAST BIENNIALY** thereafter **IN ACCORDANCE WITH THE PUBLIC HOUSING**  
3 **AGENCY'S ADMINISTRATIVE PLAN.**

4           (b) For a unit located in a building with 3 to 49 units, the property owner shall  
5 provide [the Department or] the public housing agency with a certificate of occupancy that  
6 has been completed within 1 year.

7           (c) For a unit located in a building with 50 units or more, the property owner shall  
8 provide [the Department or] the public housing agency with an inspection certificate.

9 4-2919.

10          (a) (1) For fiscal years 2025, 2026, and 2027, the Governor shall include in the  
11 annual budget bill an appropriation of \$10,000,000 to the Department for the State  
12 Program.

13          (2) For fiscal year 2028 and each fiscal year thereafter, the Governor shall  
14 include in the annual budget bill an appropriation sufficient to fund at least the same  
15 number of vouchers issued in the prior fiscal year.

16          (b) Of the amount specified under subsection (a) of this section, the Department  
17 shall distribute ~~6%~~ each year to [public housing agencies] **EACH PUBLIC HOUSING**  
18 **AGENCY OR AN AMOUNT EQUAL TO THE FEDERAL DE MINIMIS RATE OF THE PUBLIC**  
19 **HOUSING AGENCY'S MODIFIED TOTAL DIRECT COSTS AS ESTABLISHED IN 2 C.F.R. §**  
20 **200.414(F), WHICHEVER IS GREATER,** to help defray staffing expenses related to the  
21 administration of the federal Housing Choice Voucher Program and the State Program.

22          (c) The Department shall develop a formula for distributing State Program funds  
23 to [the Department and] each public housing agency.

24          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2025.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.