

SENATE BILL 409

C8, L6

5lr2323
CF HB 97

By: **Senator King**

Introduced and read first time: January 20, 2025

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2025

CHAPTER _____

1 AN ACT concerning

2 **Economic Development – County or Municipal Corporation Economic**
3 **Development Authority – Powers and Use of Proceeds**

4 FOR the purpose of expanding the acceptable names authorized for an economic
5 development authority established by a county or municipal corporation; expanding
6 the powers of an authority, subject to limitations in the articles of incorporation of
7 the authority and resolutions of the legislative body of a county or municipal
8 corporation; providing that certain actions require prior approval of the legislative
9 body of a county or municipal corporation under certain circumstances; authorizing
10 an authority to issue certain bonds in accordance with certain requirements;
11 expanding the authorized uses of tax increment proceeds; and generally relating to
12 county and municipal economic development.

13 BY repealing and reenacting, with amendments,

14 Article – Economic Development

15 Section 12–101, 12–105, 12–107 through 12–109, 12–110(b), 12–111(a), 12–113(a),
16 12–201(e), (f), and (j), 12–203, 12–204, 12–207(a), 12–211, and 12–212

17 Annotated Code of Maryland

18 (2024 Replacement Volume and 2024 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Economic Development

21 Section 12–110(a) and 12–201(a)

22 Annotated Code of Maryland

23 (2024 Replacement Volume and 2024 Supplement)

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 adding to
2 Article – Economic Development
3 Section 12–201(d–1) and (d–2)
4 Annotated Code of Maryland
5 (2024 Replacement Volume and 2024 Supplement)
- 6 ~~BY repealing and reenacting, with amendments,~~
7 ~~The Charter of Baltimore City~~
8 ~~Article II – General Powers~~
9 ~~Section (62)(a)~~
10 ~~(2007 Replacement Volume, as amended)~~
11 ~~(As enacted by Chapter 338 of the Acts of the General Assembly of 2008)~~
- 12 ~~BY repealing and reenacting, without amendments,~~
13 ~~The Charter of Baltimore City~~
14 ~~Article II – General Powers~~
15 ~~Section (62)(b)(1) and (c)(2)(i) and (ii) and (3)~~
16 ~~(2007 Replacement Volume, as amended)~~
- 17 ~~BY repealing and reenacting, with amendments,~~
18 ~~The Charter of Baltimore City~~
19 ~~Article II – General Powers~~
20 ~~Section (62)(b)(7) through (17), (c), (d), (e)(1) and (2)(iv), (f)(1), (h)(2), and (j)~~
21 ~~(2007 Replacement Volume, as amended)~~
- 22 ~~BY adding to~~
23 ~~The Charter of Baltimore City~~
24 ~~Article II – General Powers~~
25 ~~Section (62)(b)(7) and (b–1)~~
26 ~~(2007 Replacement Volume, as amended)~~
- 27 ~~BY repealing and reenacting, with amendments,~~
28 ~~The Charter of Baltimore City~~
29 ~~Article II – General Powers~~
30 ~~Section (62)(b)(18)~~
31 ~~(2007 Replacement Volume, as amended)~~
32 ~~(As enacted by Chapter 544 of the Acts of the General Assembly of 2008)~~
- 33 ~~BY repealing and reenacting, without amendments,~~
34 ~~The Charter of Baltimore City~~
35 ~~Article II – General Powers~~
36 ~~Section (62)(c)(2)(iii)~~
37 ~~(2007 Replacement Volume, as amended)~~
38 ~~(As enacted by Chapter 544 of the Acts of the General Assembly of 2008)~~

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

3 **Article – Economic Development**

4 12–101.

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

6 (b) “Authority” means an industrial development authority, **REVENUE**
7 **AUTHORITY, REDEVELOPMENT AUTHORITY, OR OTHER SIMILARLY NAMED**
8 **AUTHORITY** established in accordance with § 12–105 of this subtitle.

9 (c) **“AUTHORITY FUNDS” MEANS:**

10 (1) **MONEY MADE AVAILABLE TO THE AUTHORITY UNDER TITLE 12,**
11 **SUBTITLE 2 OF THIS ARTICLE;**

12 (2) **REVENUES, PROCEEDS, EARNINGS, PREMIUMS, FEES, AND ANY**
13 **OTHER MONEY PAYABLE TO OR RECEIVED BY THE AUTHORITY FROM THE**
14 **OWNERSHIP, USE, SALE, LEASE, OR OTHER DISPOSITION OF PROPERTY OF THE**
15 **AUTHORITY OR OTHERWISE IN THE EXERCISE OF ITS POWERS; AND**

16 (3) **ANY OTHER MONEY MADE AVAILABLE TO THE AUTHORITY.**

17 [(c)] (D) (1) “Bond” means a revenue bond, note, or other instrument,
18 certificate, or evidence of obligation that is issued and sold by a public body under this
19 subtitle [to finance a facility or to refund an outstanding bond].

20 (2) “Bond” includes:

21 (i) a bond anticipation note; and

22 (ii) a note in the nature of commercial paper.

23 [(d)] (E) “Chief executive” means the president, chair, mayor, county executive,
24 or any other chief executive officer of a public body.

25 (F) **“DEVELOPMENT” INCLUDES NEW DEVELOPMENT, REDEVELOPMENT,**
26 **REVITALIZATION, AND RENOVATION.**

27 [(e)] (G) “Facility” means any land or an interest in land, structure, working
28 capital, equipment, or other property, or any combination of them, the acquisition or
29 improvement of which the legislative body of a county or municipal corporation, the board
30 of directors of an authority, or the Maryland Industrial Development Financing Authority,

1 in its sole discretion, determines by resolution will accomplish one or more of the legislative
2 purposes listed in § 12–103(b) of this subtitle.

3 [(f)] (H) “Facility applicant” means a person, public or private corporation, or
4 other entity, whether for–profit or nonprofit, that, by letter of intent or similar agreement
5 with a public body, requests the public body to participate in financing a facility under this
6 subtitle for use by a facility user.

7 [(g)] (I) (1) “Facility user” means a person, public or private corporation, or
8 other entity, whether for–profit or nonprofit, that owns, leases, or uses all or part of a
9 facility.

10 (2) “Facility user” may include a facility applicant.

11 [(h)] (J) “Finance” includes refinance.

12 [(i)] (K) (1) “Finance board” means a unit or instrumentality of a county or
13 municipal corporation that is authorized by statute or charter to issue and sell bonds of the
14 county or municipal corporation.

15 (2) “Finance board” does not include the legislative body of a county or
16 municipal corporation.

17 [(j)] (L) “Improve” means to add, alter, construct, equip, expand, extend,
18 improve, install, reconstruct, rehabilitate, remodel, or repair.

19 [(k)] (M) “Improvement” means addition, alteration, construction, equipping,
20 expansion, extension, improvement, installation, reconstruction, rehabilitation,
21 remodeling, or repair.

22 (N) **“PROJECT AREA” MEANS A GEOGRAPHIC AREA DESIGNATED BY THE**
23 **LEGISLATIVE BODY OF A COUNTY OR MUNICIPAL CORPORATION WITHIN ITS**
24 **JURISDICTION AS A PROJECT AREA UNDER § 12–105(H) OF THIS SUBTITLE.**

25 (O) **“PROJECT AREA PLAN” MEANS THE PLAN ESTABLISHED BY A COUNTY**
26 **OR MUNICIPAL CORPORATION FOR THE PROJECT AREA UNDER § 12–105(H) OF THIS**
27 **SUBTITLE THAT ACCOMPLISHES AT LEAST ONE OF THE PURPOSES UNDER §**
28 **12–103(B) OF THIS SUBTITLE.**

29 [(l)] (P) “Public body” means:

30 (1) a county;

31 (2) a municipal corporation;

32 (3) an authority; or

1 (4) the Maryland Industrial Development Financing Authority.

2 **[(m)] (Q)** (1) “Public port” means the public ports and harbors on the
3 Chesapeake Bay or the Isle of Wight Bay and their tributaries in the State.

4 (2) “Public port” includes:

5 (i) the Baltimore Harbor (the Patapsco River and its tributaries
6 north and west of North Point and Bodkin Point);

7 (ii) the Port of Cambridge (the south side of the Choptank River
8 between Hambrook’s Bar and the Emerson C. Harrington Bridge); and

9 (iii) the Port of Crisfield (the Little Annemessex River east of James
10 Island).

11 12–105.

12 (a) To accomplish one or more of the legislative purposes listed in § 12–103(b) of
13 this subtitle, the legislative body of a county or municipal corporation may adopt a
14 resolution to create an **[industrial development]** authority in accordance with this subtitle.

15 (b) A resolution adopted under subsection (a), (f), **[or] (g), OR (H)** of this section:

16 (1) is administrative in nature;

17 (2) is not subject to referendum; and

18 (3) in a county or municipal corporation that has a publicly elected chief
19 executive, is subject to approval by the chief executive.

20 (c) Subsection (a) of this section is self-executing and fully authorizes a county or
21 municipal corporation to establish an authority, notwithstanding any other statutory or
22 charter provision.

23 (d) A resolution adopted under subsection (a) of this section shall include
24 proposed articles of incorporation of the authority that state:

25 (1) the name of the authority, which shall be:

26 **(I)** “Industrial Development Authority of (name of the incorporating
27 county or municipal corporation)”;

28 **(II)** “**REVENUE AUTHORITY OF (NAME OF THE INCORPORATING**
29 **COUNTY OR MUNICIPAL CORPORATION)**”;

1 **(III) “REDEVELOPMENT AUTHORITY OF (NAME OF THE**
2 **INCORPORATING COUNTY OR MUNICIPAL CORPORATION)”**; OR

3 **(IV) A SIMILARLY NAMED ENTITY;**

4 (2) that the authority is formed under this subtitle;

5 (3) the names, addresses, and terms of office of the initial members of the
6 board of directors of the authority;

7 (4) the address of the principal office of the authority;

8 (5) the purposes for which the authority is formed; and

9 (6) the powers of the authority subject to the limitations on the powers of
10 an authority under this subtitle.

11 (e) (1) The chief executive of the incorporating county or municipal
12 corporation, or any other official designated in the resolution establishing the authority,
13 shall execute and file the articles of incorporation of the authority for record with the State
14 Department of Assessments and Taxation.

15 (2) When the State Department of Assessments and Taxation accepts the
16 articles of incorporation for record, the authority becomes a body politic and corporate and
17 an instrumentality of the incorporating county or municipal corporation.

18 (3) Acceptance of the articles of incorporation for record by the State
19 Department of Assessments and Taxation is conclusive evidence of the formation of the
20 authority.

21 (f) (1) By resolution, the legislative body of the incorporating county or
22 municipal corporation may adopt an amendment to the articles of incorporation of the
23 authority.

24 (2) Articles of amendment may contain any provision that lawfully could
25 be contained in articles of incorporation at the time of the amendment.

26 (3) The articles of amendment shall be filed for record with the State
27 Department of Assessments and Taxation.

28 (4) The articles of amendment are effective as of the time the State
29 Department of Assessments and Taxation accepts the articles for record.

30 (5) Acceptance of the articles of amendment for record by the State
31 Department of Assessments and Taxation is conclusive evidence that the articles have been
32 lawfully and properly adopted.

1 (g) (1) Subject to the provisions of this section and any limitations imposed by
2 law on the impairment of contracts, the incorporating county or municipal corporation, in
3 its sole discretion, by resolution may:

4 (i) set or change the NAME, structure, organization, procedures,
5 programs, or activities of the authority; or

6 (ii) terminate the authority.

7 (2) On termination of an authority:

8 (i) title to all property of the authority shall be transferred to and
9 vest in the incorporating county or municipal corporation; and

10 (ii) all obligations of the authority shall be transferred to and
11 assumed by the incorporating county or municipal corporation.

12 (H) THE LEGISLATIVE BODY OF A COUNTY OR MUNICIPAL CORPORATION
13 MAY ADOPT A RESOLUTION:

14 (1) DESIGNATING A GEOGRAPHIC AREA WITHIN ITS JURISDICTION AS
15 A PROJECT AREA;

16 (2) ESTABLISHING A PROJECT AREA PLAN FOR A PROJECT AREA; ~~AND~~

17 (3) AUTHORIZING THE AUTHORITY TO IMPLEMENT THE PROJECT
18 AREA PLAN; AND

19 (4) IDENTIFYING ACTIONS, IF ANY, UNDER THIS SUBTITLE THAT
20 REQUIRE PRIOR APPROVAL BY THE LEGISLATIVE BODY OF THE COUNTY OR
21 MUNICIPAL CORPORATION.

22 (I) THE LEGISLATIVE BODY OF A COUNTY OR MUNICIPAL CORPORATION
23 HAS AUDITING AND OVERSIGHT AUTHORITY OF AN AUTHORITY CREATED ON OR
24 AFTER OCTOBER 1, 2025.

25 (J) THE AUTHORITY SHALL ISSUE AN ANNUAL REPORT TO THE
26 LEGISLATIVE BODY OF A COUNTY OR THE MUNICIPAL CORPORATION DETAILING THE
27 AUTHORITY'S:

28 (1) ACTIVITIES;

29 (2) PROPERTY HOLDINGS;

1 **(3) FINANCIAL RECORDS; AND**

2 **(4) ANY OTHER INFORMATION REQUESTED BY THE LEGISLATIVE**
 3 **BODY OR MUNICIPAL CORPORATION.**

4 12-107.

5 (a) The board of directors of an authority shall govern the authority.

6 (b) Except as otherwise provided in this subtitle or the resolution establishing the
 7 authority, the procedures of the incorporating county or municipal corporation control any
 8 matter relating to the internal administration of the authority.

9 **(C) THE BOARD OF DIRECTORS OF AN AUTHORITY SHALL PROVIDE FOR THE**
 10 **MAINTENANCE OF THE AUTHORITY'S MINUTES, RESOLUTIONS, AND OTHER**
 11 **RECORDS SEPARATE FROM THOSE OF THE INCORPORATING COUNTY OR MUNICIPAL**
 12 **CORPORATION THAT CREATED THE AUTHORITY.**

13 12-108.

14 Except as **OTHERWISE PROVIDED IN THIS SUBTITLE OR AS** necessary to pay debt
 15 service or implement the public purposes or programs of the incorporating county or
 16 municipal corporation, the net earnings of an authority may benefit only the incorporating
 17 county or municipal corporation and may not benefit any person.

18 12-109.

19 (a) (1) Except as limited by its articles of incorporation, an authority has all
 20 the powers set forth in this subtitle.

21 (2) **(I) [An] SUBJECT TO SUBPARAGRAPHS (II) THROUGH (IV) OF**
 22 **THIS PARAGRAPH, AN authority may:**

23 [(i)] **1. receive money from [its incorporating county or municipal**
 24 **corporation, the State, other governmental units, or nonprofit organizations] ANY PUBLIC,**
 25 **PRIVATE, OR NONPROFIT SOURCE TO FUND THE AUTHORITY'S ACTIVITIES, POWERS,**
 26 **AND DUTIES IN ACCORDANCE WITH THIS SUBTITLE;**

27 [(ii)] **2. charge fees for its services;**

28 [(iii)] **3. have employees and consultants as it considers necessary;**
 29 **[and]**

30 [(iv)] **4. use the services of other governmental units;**

1 **5. OWN, HOLD, AND IMPROVE REAL AND PERSONAL**
2 **PROPERTY;**

3 **6. PURCHASE, HOLD, MAINTAIN, UTILIZE, MANAGE,**
4 **LEASE, OBTAIN OPTIONS ON, OR ACQUIRE BY GIFT, GRANT, BEQUEST, DEVISE, OR**
5 **OTHERWISE ANY REAL OR PERSONAL PROPERTY WHICH MAY INCLUDE THE USE OF**
6 **AUTHORITY FUNDS OR THE COLLECTION OF REVENUE;**

7 **7. SELL, LEASE, EXCHANGE, TRANSFER, ASSIGN,**
8 **PLEDGE, OR DISPOSE OF ANY REAL OR PERSONAL PROPERTY;**

9 **8. ENTER INTO CONTRACTS AND OTHER INSTRUMENTS**
10 **NECESSARY OR CONVENIENT TO EXERCISE THE AUTHORITY'S POWERS;**

11 **9. PROVIDE FOR THE DEMOLITION, CONSTRUCTION,**
12 **RECONSTRUCTION, REHABILITATION, IMPROVEMENT, ALTERATION, OR REPAIR OF**
13 **REAL AND PERSONAL PROPERTY;**

14 **10. INSURE OR PROVIDE FOR THE INSURANCE OF REAL**
15 **AND PERSONAL PROPERTY OR OPERATIONS OF THE AUTHORITY AGAINST ANY RISKS**
16 **OR HAZARDS;**

17 **11. SUE AND BE SUED;**

18 **12. IF DISPOSING OF OR LEASING LAND, RETAIN**
19 **CONTROL OR ESTABLISH RESTRICTIONS AND COVENANTS RUNNING WITH THE LAND**
20 **CONSISTENT WITH THE PROJECT AREA PLAN;**

21 **13. ENTER INTO A LEASE AGREEMENT ON REAL OR**
22 **PERSONAL PROPERTY, EITHER AS LESSEE OR LESSOR;**

23 **14. BORROW MONEY OR ACCEPT FINANCIAL OR OTHER**
24 **ASSISTANCE FROM A PUBLIC ENTITY OR ANY OTHER SOURCE FOR ANY OF THE**
25 **PURPOSES OF THIS SUBTITLE AND COMPLY WITH ANY CONDITIONS OF ANY LOAN OR**
26 **ASSISTANCE;**

27 **15. ISSUE BONDS TO FINANCE THE UNDERTAKING OF ANY**
28 **PROJECT AREA DEVELOPMENT OR FOR ANY OF THE AUTHORITY'S OTHER PURPOSES,**
29 **INCLUDING:**

30 **A. REIMBURSING AN ADVANCE MADE BY THE AUTHORITY**
31 **OR BY A PUBLIC ENTITY TO THE AUTHORITY;**

1 **B. REFUNDING BONDS TO PAY OR RETIRE BONDS**
2 **PREVIOUSLY ISSUED BY THE AUTHORITY; AND**

3 **C. REFUNDING BONDS TO PAY OR RETIRE BONDS**
4 **PREVIOUSLY ISSUED BY THE AUTHORITY OR THE COUNTY OR MUNICIPAL**
5 **CORPORATION THAT DESIGNATED THE PROJECT AREA FOR EXPENSES ASSOCIATED**
6 **WITH PROJECT AREA DEVELOPMENT;**

7 **16. PAY AN IMPACT FEE, EXACTION, OR OTHER FEE IN**
8 **CONNECTION WITH LAND DEVELOPMENT IMPOSED BY THE COUNTY OR MUNICIPAL**
9 **CORPORATION THAT DESIGNATED THE PROJECT AREA;**

10 **17. MAKE LOANS;**

11 **18. USE AUTHORITY FUNDS FOR THE PURPOSES OF THIS**
12 **SUBTITLE; AND**

13 **19. TRANSACT OTHER BUSINESS AND EXERCISE ALL**
14 **OTHER POWERS UNDER THIS SUBTITLE.**

15 **(II) AN AUTHORITY MAY ACQUIRE REAL PROPERTY UNDER**
16 **SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT IS OUTSIDE A PROJECT AREA ONLY**
17 **IF:**

18 **1. THE BOARD OF DIRECTORS OF THE AUTHORITY**
19 **DETERMINES THAT THE PROPERTY WILL BENEFIT A PROJECT AREA; AND**

20 **2. THE AUTHORITY RECEIVES PRIOR APPROVAL OF THE**
21 **LEGISLATIVE BODY OF THE COUNTY OR MUNICIPAL CORPORATION.**

22 **(III) AUTHORITY FUNDS SHALL BE ACCOUNTED FOR**
23 **SEPARATELY FROM THE FUNDS OF THE COUNTY OR MUNICIPAL CORPORATION THAT**
24 **CREATED THE AUTHORITY.**

25 **(IV) AN AUTHORITY MAY ACCUMULATE AUTHORITY FUNDS,**
26 **RETAINED EARNINGS, OR FUND BALANCES IN ANY FUND.**

27 (b) For the purposes of this subtitle, each county and municipal corporation has
28 all the powers granted in this subtitle to an authority, including the power to make loans
29 to private enterprises competing with enterprises not receiving the loans.

30 (c) (1) (i) An authority shall operate and exercise its powers solely to
31 accomplish one or more of the legislative purposes of this subtitle.

1 (ii) The incorporating county or municipal corporation may use the
2 authority's exercise of its powers to accomplish one or more of the legislative purposes.

3 (2) An authority or an incorporating county or municipal corporation may
4 exercise its powers regardless of any effect on economic competition.

5 (3) The powers granted to a county or municipal corporation under
6 paragraph (2) of this subsection do not:

7 (i) grant to the county or municipal corporation powers in any
8 substantive area not otherwise granted to the county or municipal corporation under other
9 public general or public local law;

10 (ii) restrict the county or municipal corporation from exercising any
11 power granted to the county or municipal corporation under other public general or public
12 local law or otherwise;

13 (iii) authorize the county or municipal corporation, or the officers of
14 the county or municipal corporation, to engage in an activity that is beyond the power
15 granted under other public general or public local law or otherwise; or

16 (iv) preempt or supersede the regulatory authority of a unit of State
17 government under a public general law.

18 (4) The incorporating county or municipal corporation is not precluded
19 from directly exercising the powers granted to an authority under this subtitle after the
20 establishment of the authority.

21 12-110.

22 (a) Notwithstanding any limitation of law, a public body may issue and sell bonds
23 periodically to accomplish the legislative purposes of this subtitle.

24 (b) (1) A public body may issue and sell bonds [to]:

25 (i) subject to paragraph (2) of this subsection, **TO** finance the costs
26 of the acquisition or improvement of a facility for a facility user, including working capital;

27 (ii) **TO** refund outstanding bonds;

28 (iii) **TO** pay the costs of preparing, printing, selling, and issuing the
29 bonds;

30 (iv) **TO** fund reserves; [and]

1 (v) TO pay the interest on the bonds in the amount and for the period
2 the public body considers reasonable; AND

3 (VI) FOR ANY OTHER PURPOSE IN THIS SUBTITLE.

4 (2) (i) A public body may not issue bonds to acquire working capital
5 unless the bonds are secured by a letter of credit or an interest in property.

6 (ii) Working capital acquired by issuing bonds may not exceed 25%
7 of the principal amount of the bonds.

8 12-111.

9 (a) For each issue of its bonds, the legislative body of a county or municipal
10 corporation, the board of directors of an authority, or the Maryland Industrial Development
11 Financing Authority, shall adopt a resolution that:

12 (1) specifies and describes the facility **OR OTHER PROPOSED**
13 **UNDERTAKING TO BE FINANCED WITH THE PROCEEDS OF BONDS;**

14 (2) generally describes the public purpose to be served and the financing
15 transaction;

16 (3) specifies the maximum principal amount of the bonds that may be
17 issued; and

18 (4) imposes terms or conditions on the issuance and sale of bonds it
19 considers appropriate.

20 12-113.

21 (a) (1) A bond and the interest on a bond are limited obligations of the public
22 body.

23 (2) Except for bond anticipation notes and notes in the nature of
24 commercial paper, the principal of, premium, and interest on a bond are payable solely
25 from:

26 (i) money from the financing of a facility;

27 **(II) AUTHORITY FUNDS OF THE AUTHORITY ISSUING THE**
28 **BONDS; or**

29 **[(ii)] (III)** other money made available to the public body.

30 (3) Bonds and the interest on them:

1 (i) are not debts or charges against the general credit or taxing
2 powers of a public body within the meaning of any constitutional or charter provision or
3 statutory limitation; and

4 (ii) may not give rise to any pecuniary liability of an issuing public
5 body.

6 (4) A bond may state on its face that the bond:

7 (i) is issued under this subtitle; and

8 (ii) is not a debt to which the public body's faith and credit is pledged.

9 12-201.

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

11 **(D-1) "AUTHORITY" HAS THE MEANING STATED IN § 12-101 OF THIS TITLE.**

12 **(D-2) "AUTHORITY FUNDS" HAS THE MEANING STATED IN § 12-101 OF THIS**
13 **TITLE.**

14 (e) "Bond" means a revenue bond, note, or other similar instrument issued in
15 accordance with this subtitle by:

16 (1) a political subdivision;

17 **(2) AN AUTHORITY; or**

18 **[(2)] (3) the revenue authority of Prince George's County.**

19 (f) "Chief executive" means the president, chair, mayor, or other chief executive
20 officer of a political subdivision, **AN AUTHORITY**, or the revenue authority of Prince
21 George's County.

22 (j) "Issuer" means **AN AUTHORITY**, a political subdivision, or the revenue
23 authority of Prince George's County that issues a bond under this subtitle.

24 12-203.

25 (a) Before [issuing] bonds **ARE ISSUED**, the governing body of the political
26 subdivision shall:

27 (1) by resolution:

1 (i) designate a contiguous area within its jurisdiction as a
2 development district;

3 (ii) identify an area that has been designated a sustainable
4 community; or

5 (iii) identify an area that has been designated a RISE zone;

6 (2) receive from the Supervisor of Assessments a certification of the
7 amount of the original base, or if applicable, the adjusted assessable base; and

8 (3) pledge that until the bonds are fully paid, or a longer period, the real
9 property taxes in the development district, a RISE zone, or a sustainable community shall
10 be divided as follows:

11 (i) the portion of the taxes that would be produced at the current tax
12 rate on the original taxable value base shall be paid to the respective taxing authorities in
13 the same manner as taxes on other property are paid; and

14 (ii) the portion of the taxes on the tax increment that normally would
15 be paid into the general fund of the political subdivision shall be paid into the special fund
16 established under § 12–208 of this subtitle and applied in accordance with § 12–209 of this
17 subtitle.

18 (b) (1) In this subsection, “brownfields site” has the meaning stated in § 5–301
19 of this article.

20 (2) Before [issuing] bonds **ARE ISSUED** and as part of the resolution
21 required under subsection (a) of this section, the governing body of the political subdivision
22 may determine the original base of a brownfields site in a sustainable community.

23 (3) The determination of the original base of a brownfields site under this
24 section:

25 (i) is not a determination of the value of the brownfields site; and

26 (ii) may not be used to determine a property tax assessment or
27 appeal of a property tax assessment under the Tax – Property Article.

28 (c) The establishment or identification by a county of a development district, a
29 RISE zone, or a sustainable community that is wholly or partly in a municipal corporation
30 shall also require a resolution approving the development district, RISE zone, or
31 sustainable community by the governing body of the municipal corporation.

32 12–204.

1 (a) Notwithstanding any limitation of law, an issuer may issue bonds from time
2 to time to finance the development of an industrial, commercial, or residential area.

3 (b) To issue bonds under this subtitle, the governing body of a political subdivision
4 shall adopt an ordinance that:

5 (1) describes the proposed undertaking; and

6 (2) states:

7 (i) that the governing body has complied with §§ 12–203 and
8 12–208(c) and (d) of this subtitle;

9 (ii) the maximum principal amount of the bonds; and

10 (iii) the maximum rate of interest on the bonds.

11 (c) The ordinance may specify the following for bonds issued to carry out the
12 financing of the proposed undertaking:

13 (1) the principal amount;

14 (2) the rate of interest;

15 (3) the manner and terms of sale;

16 (4) the time of execution, issuance, and delivery;

17 (5) the form and denomination;

18 (6) the manner in which, and the times and places at which principal and
19 interest shall be paid;

20 (7) conditions for redemption before maturity; or

21 (8) other provisions consistent with this subtitle that the governing body of
22 the political subdivision determines are necessary or desirable.

23 (d) **(1)** The revenue authority of Prince George’s County may issue bonds in
24 accordance with an ordinance adopted by the governing body of Prince George’s County.

25 **(2) AN AUTHORITY MAY ISSUE BONDS IN ACCORDANCE WITH AN**
26 **ORDINANCE ADOPTED BY THE GOVERNING BODY THAT CREATED THE AUTHORITY**
27 **UNDER SUBTITLE 1 OF THIS TITLE.**

28 (e) The ordinance may specify the items listed in subsection (c) of this section or
29 may authorize:

1 (1) the finance board to specify those items by resolution or ordinance; or

2 (2) the chief executive to specify those items by executive order.

3 (f) (1) Except as provided in paragraph (2) of this subsection, neither an
4 ordinance authorizing the bonds nor an ordinance, resolution, or executive order issued,
5 passed, or adopted under this section may be subject to referendum because of any other
6 State or local law.

7 (2) An ordinance that authorizes the pledge of the full faith and credit of a
8 political subdivision to the payment of principal and interest on a bond is subject to any
9 applicable right to referendum.

10 12–207.

11 (a) Except as provided in subsections (b) and (e) of this section, **THE SPECIAL**
12 **FUND ESTABLISHED UNDER § 12–208 OF THIS SUBTITLE OR** bond proceeds may be used
13 **[only]:**

14 (1) to buy, lease, condemn, or otherwise acquire property, or an interest in
15 property:

16 (i) in the development district, a RISE zone, or a sustainable
17 community; or

18 (ii) needed for a right-of-way or other easement to or from the
19 development district, a RISE zone, or a sustainable community;

20 (2) for site removal;

21 (3) for surveys and studies;

22 (4) to relocate businesses or residents;

23 (5) to install utilities, construct parks and playgrounds, and for other
24 needed improvements including:

25 (i) roads to, from, or in the development district;

26 (ii) parking **AND ANCILLARY IMPROVEMENTS RELATED TO**
27 **VEHICLES;** and

28 (iii) lighting;

29 (6) to construct or rehabilitate buildings for a governmental purpose or use;

1 (7) for reserves [or], capitalized interest, AND WORKING CAPITAL;

2 (8) for necessary costs to issue bonds; [and]

3 (9) to pay the principal of and interest on loans, advances, or indebtedness
4 that a political subdivision incurs for a purpose specified in this section;

5 (10) FOR THE PURPOSE OF ENCOURAGING DEVELOPMENT IN THE
6 DEVELOPMENT DISTRICT, A RISE ZONE, OR A SUSTAINABLE COMMUNITY, TO
7 INSTALL PUBLIC OR PRIVATE INFRASTRUCTURE IMPROVEMENTS, INCLUDING:

8 (I) STREETS;

9 (II) UTILITIES;

10 (III) STREET LIGHTS;

11 (IV) STORMWATER MANAGEMENT AND STORM DRAIN
12 FACILITIES;

13 (V) FENCING;

14 (VI) NOISE WALLS;

15 (VII) RETAINING WALLS;

16 (VIII) TRAILS;

17 (IX) SIDEWALKS;

18 (X) PUBLIC RECREATIONAL FACILITIES;

19 (XI) LANDSCAPING, STREETSCAPING, AND PUBLIC ART; AND

20 (XII) PEDESTRIAN AND VEHICULAR BRIDGES;

21 (11) TO ISSUE LOANS FOR THE PURPOSE OF ENCOURAGING
22 DEVELOPMENT IN THE DEVELOPMENT DISTRICT, RISE ZONE, OR SUSTAINABLE
23 COMMUNITY;

24 (12) FOR ADMINISTRATIVE OVERHEAD, LEGAL, OR OTHER OPERATING
25 EXPENSES OF THE AUTHORITY, INCLUDING THE FEES AND EXPENSES OF
26 CONSULTANTS;

27 (13) TO FINANCE OR REFINANCE IN WHOLE OR IN PART:

1 **(I) DEVELOPMENT COSTS OF A DEVELOPMENT DISTRICT,**
2 **INCLUDING ENVIRONMENTAL REMEDIATION;**

3 **(II) IF THE EXPENDITURES ARE RELATED TO HOUSING IN A**
4 **DEVELOPMENT DISTRICT:**

5 **1. THE ACQUISITION OF THE LAND; AND**

6 **2. THE COST OF INSTALLATION, CONSTRUCTION, OR**
7 **REHABILITATION OF THE HOUSING-RELATED BUILDING, FACILITY, STRUCTURE, OR**
8 **OTHER HOUSING IMPROVEMENT, INCLUDING INFRASTRUCTURE IMPROVEMENTS**
9 **RELATED TO HOUSING; AND**

10 **(III) IF THE EXPENDITURES ARE RELATED TO HOUSING NOT IN A**
11 **DEVELOPMENT DISTRICT:**

12 **1. REPLACING HOUSING UNITS LOST IN A DEVELOPMENT**
13 **DISTRICT;**

14 **2. INCREASING, IMPROVING, OR PRESERVING THE**
15 **SUPPLY OF AFFORDABLE HOUSING WITHIN THE BOUNDARY OF THE DEVELOPMENT**
16 **DISTRICT; OR**

17 **3. RELOCATING MOBILE HOME PARK RESIDENTS**
18 **DISPLACED BY DEVELOPMENT INSIDE OR OUTSIDE A DEVELOPMENT DISTRICT;**

19 **(14) FOR AFFORDABLE HOUSING OR HOMELESS ASSISTANCE, TO LEND,**
20 **GRANT, OR CONTRIBUTE FUNDS TO A PERSON, PUBLIC OR PRIVATE ENTITY,**
21 **HOUSING AUTHORITY, OR NONPROFIT ENTITY;**

22 **(15) FOR AN INCENTIVE OR OTHER CONSIDERATION PAID WITH**
23 **RESPECT TO THE DEVELOPMENT DISTRICT;**

24 **(16) FOR THE ACQUISITION OF LAND AND THE COST OF THE**
25 **INSTALLATION AND CONSTRUCTION OF ANY PUBLICLY OWNED BUILDING, FACILITY,**
26 **STRUCTURE, OR OTHER IMPROVEMENT WITHIN THE DEVELOPMENT DISTRICT;**

27 **(17) BY AN AUTHORITY FOR THE PURPOSES OF THIS SUBSECTION AND**
28 **SUBTITLE 1 OF THIS TITLE;**

29 **(18) IF THE BOARD OF DIRECTORS ESTABLISHED UNDER § 12-106 OF**
30 **THIS TITLE AND THE POLITICAL SUBDIVISION THAT DESIGNATED THE**
31 **DEVELOPMENT DISTRICT ADOPT A RESOLUTION THAT THE PUBLICLY OWNED**

1 INFRASTRUCTURE AND IMPROVEMENTS BENEFIT THE DEVELOPMENT DISTRICT,
2 FOR THE INFRASTRUCTURE AND IMPROVEMENTS OUTSIDE THE DEVELOPMENT
3 DISTRICT;

4 (19) IF THE BOARD OF DIRECTORS ESTABLISHED UNDER § 12-106 OF
5 THIS TITLE AND THE POLITICAL SUBDIVISION THAT DESIGNATED THE
6 DEVELOPMENT DISTRICT APPROVE AND PROJECTED AUTHORITY FUNDS ARE
7 SUFFICIENT TO REPAY THE LOAN, TO MAKE LOANS FROM ONE DEVELOPMENT
8 DISTRICT TO ANOTHER;

9 (20) AS A GRANT TO THE POLITICAL SUBDIVISION TO OFFSET THE
10 TAXES PAID TO THE SPECIAL FUND ESTABLISHED UNDER § 12-208 OF THIS
11 SUBTITLE THAT WERE PAID TO THE AUTHORITY FOR THE PURPOSES UNDER THIS
12 SUBTITLE;

13 (21) (I) FOR CONVENTION, CONFERENCE, OR VISITOR CENTERS;
14 AND

15 (II) TO MAINTAIN INFRASTRUCTURE IMPROVEMENTS AND
16 CONVENTION, CONFERENCE, OR VISITOR CENTERS; AND

17 (22) FOR ANY OTHER PURPOSE AUTHORIZED UNDER THIS SUBTITLE.

18 12-211.

19 (a) The principal amount of bonds, interest payable on bonds, the transfer of
20 bonds, and income from bonds, including profit made in the sale or transfer of bonds, are
21 exempt from State and local taxes.

22 (b) If a political subdivision **OR AN AUTHORITY** leases as a lessor its property
23 within a development district, a RISE zone, or a sustainable community:

24 (1) the property shall be assessed and taxed in the same manner as
25 privately owned property; and

26 (2) the lease shall require the lessee to pay taxes or payments in lieu of
27 taxes on the assessed value of the entire property and not only on the assessed value of the
28 leasehold interest.

29 12-212.

30 This subtitle does not authorize **AN AUTHORITY**, a county, or a municipal
31 corporation to acquire property by eminent domain.

32 ~~The Charter of Baltimore City~~

~~Article II — General Powers~~

~~The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:~~

~~(62)~~

~~(a) (1) To borrow money by issuing and selling bonds, at any time and from time to time, for the purpose of financing and refinancing the development of an industrial, commercial, or residential area in Baltimore City. Such bonds shall be payable from and secured by a pledge of the special fund described in subsection (d)(3)(ii) of this section and the Mayor and City Council of Baltimore may also establish sinking funds, establish debt service reserve funds, or pledge other assets and revenues towards the payments of the principal and interest OR OTHER PURPOSES AS PROVIDED UNDER THIS SECTION, including revenues received by the Mayor and City Council of Baltimore pursuant to a development agreement.~~

~~(2) (i) In lieu of the pledges set forth in paragraph (1) of this subsection, the authorizing ordinance or trust agreement, subject to subparagraphs (ii) and (iii) of this paragraph, may pledge or assign:~~

~~1. all or any part of that portion of the revenues and receipts from the taxes representing the levy of the tax increment that would normally be paid to the Mayor and City Council of Baltimore to the payment of such principal and interest;~~

~~2. the special fund described in subsection (d)(3)(ii) of this section and any other fund into which all or any part of such revenues and receipts are deposited after such revenues and receipts are appropriated by the Mayor and City Council of Baltimore to the payment of such principal and interest;~~

~~3. amounts provided to the Mayor and City Council of Baltimore by the State under § 2-222 of the Tax Property Article of the Annotated Code of Maryland; and~~

~~4. any other assets and revenues of the Mayor and City Council of Baltimore.~~

~~(ii) The revenues and receipts may not be irrevocably pledged to the payment of such principal and interest and the obligation to pay such principal and interest from such revenues and receipts shall be subject to annual appropriation by the Mayor and City Council of Baltimore.~~

1 ~~(iii) The Mayor and City Council of Baltimore may not pledge its full~~
2 ~~faith and credit or unlimited taxing power to the payment of such bonds.~~

3 ~~(b) (1) In this section the following words have the meanings indicated, unless~~
4 ~~the context clearly indicates another or different meaning or intent:~~

5 ~~(7) "AUTHORITY" HAS THE MEANING PROVIDED IN § 12-101 OF THE~~
6 ~~ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.~~

7 ~~[(7)](8) "Bonds" or "bond" means any bonds or bond, notes or note, or~~
8 ~~other similar instruments or instrument issued by the Mayor and City Council of Baltimore~~
9 ~~OR AN AUTHORITY pursuant to and in accordance with this section.~~

10 ~~[(8)](9) "Development" includes new development, redevelopment,~~
11 ~~revitalization, and renovation.~~

12 ~~[(9)](10) "Development agreement" means an agreement between the~~
13 ~~Mayor and City Council of Baltimore OR AN AUTHORITY and any person involved in or~~
14 ~~responsible for development of property within a development district pursuant to which~~
15 ~~such person shall agree to pay in each year in which any bonds are outstanding an amount~~
16 ~~equal to all or a portion of the debt service on bonds issued pursuant to this section to~~
17 ~~finance or refinance development in such development district.~~

18 ~~[(10)](11) "Development district" means an area or areas within the City of~~
19 ~~Baltimore designated by an ordinance of the Mayor and City Council of Baltimore.~~

20 ~~[(11)](12) "Distressed property" has the meaning stated in § 21-17(a) of the~~
21 ~~Public Local Laws of Baltimore City.~~

22 ~~[(12)](13) "Original assessable base" means the assessable base as of~~
23 ~~January 1 of that year preceding the effective date of the ordinance creating the~~
24 ~~development district under subsection (d) of this section.~~

25 ~~[(13)](14) "Original full cash value" means the dollar amount which is~~
26 ~~determined by dividing the original assessable base by the assessment ratio used to~~
27 ~~determine the original assessable base.~~

28 ~~[(14)](15) "Original taxable value" means for any tax year the dollar~~
29 ~~amount that is the lesser of:~~

30 ~~(i) the product of the original full cash value times the assessment~~
31 ~~ratio applicable to that tax year;~~

32 ~~(ii) the original assessable base; or~~

1 ~~(iii) if an adjusted assessable base applies, then the “original taxable~~
 2 ~~value” is the adjusted assessable base.~~

3 ~~[(15)] (16) “Supervisor of Assessments” means the Supervisor of~~
 4 ~~Assessments for Baltimore City.~~

5 ~~[(16)] (17) “Tax increment” means for any tax year the amount by which the~~
 6 ~~assessable base as of January 1 preceding that tax year exceeds the original taxable value,~~
 7 ~~divided by the assessment ratio used to determine the original taxable value.~~

8 ~~[(17)] (18) “Tax year” means the period from July 1 of a calendar year~~
 9 ~~through June 30 of the next calendar year.~~

10 ~~[(18)] (19) “State obligations” means any bonds or bond, notes or note, or~~
 11 ~~other similar instruments or instrument issued by the Maryland Economic Development~~
 12 ~~Corporation, the State of Maryland, or any agency, department, or political subdivision~~
 13 ~~thereof, the proceeds of which have been used for any of the purposes specified in subsection~~
 14 ~~(e) of this section.~~

15 ~~(B-1) AN AUTHORITY MAY ISSUE BONDS IN ACCORDANCE WITH AN~~
 16 ~~ORDINANCE ADOPTED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE UNDER~~
 17 ~~THIS SECTION.~~

18 ~~(e) All proceeds received from any bonds issued and sold pursuant to this section~~
 19 ~~[shall], REVENUE FROM PROPERTY TAXES LEVIED ON A TAX INCREMENT, AND~~
 20 ~~PROPERTY TAXES ALLOCATED TO THE SPECIAL FUND UNDER SUBSECTION (D)(3)(H)~~
 21 ~~OF THIS SECTION MAY be applied [solely] for:~~

22 ~~(1) the cost of purchasing, leasing, condemning, or otherwise acquiring~~
 23 ~~land or other property, or an interest in them, in the designated development district area~~
 24 ~~or as necessary for a right of way or other easement to or from the development district~~
 25 ~~area;~~

26 ~~(2) site removal;~~

27 ~~(3) surveys and studies;~~

28 ~~(4) relocation of businesses or residents;~~

29 ~~(5) installation of utilities, construction of parks and playgrounds, and~~
 30 ~~other necessary improvements including streets and roads to, from, or within the~~
 31 ~~development district, lighting, and other facilities;~~

32 ~~(6) construction or rehabilitation of buildings provided that such buildings:~~

33 ~~(i) are to be devoted to a governmental use or purpose;~~

- 1 (ii) ~~are abandoned property;~~
- 2 (iii) ~~are distressed property; or~~
- 3 (iv) ~~will provide units of affordable housing;~~
- 4 (7) ~~reserves, WORKING CAPITAL, and capitalized interest on the bonds;~~
- 5 (8) ~~necessary costs of issuing bonds;~~
- 6 (9) ~~structured and surface parking facilities AND ANCILLARY~~
 7 ~~IMPROVEMENTS RELATED TO VEHICLES that are:~~
- 8 (i) ~~publicly owned; or~~
- 9 (ii) ~~privately owned but serve a public purpose; [and]~~
- 10 (10) ~~payment of the principal and interest on loans, money advanced, or~~
 11 ~~indebtedness incurred by the Mayor and City Council of Baltimore for any of the purposes~~
 12 ~~set out in this section;~~
- 13 (11) ~~THE PURPOSE OF ENCOURAGING DEVELOPMENT IN THE~~
 14 ~~DEVELOPMENT DISTRICT, A RISE ZONE, OR A SUSTAINABLE COMMUNITY, TO~~
 15 ~~INSTALL PUBLIC OR PRIVATE INFRASTRUCTURE IMPROVEMENTS, INCLUDING:~~
- 16 (I) ~~STREETS;~~
- 17 (II) ~~UTILITIES;~~
- 18 (III) ~~STREET LIGHTS;~~
- 19 (IV) ~~STORMWATER MANAGEMENT AND STORM DRAIN~~
 20 ~~FACILITIES;~~
- 21 (V) ~~FENCING;~~
- 22 (VI) ~~NOISE WALLS;~~
- 23 (VII) ~~RETAINING WALLS;~~
- 24 (VIII) ~~TRAILS;~~
- 25 (IX) ~~SIDEWALKS;~~

1 ~~(X) PUBLIC RECREATIONAL FACILITIES;~~

2 ~~(XI) LANDSCAPING, STREETS CAPING, AND PUBLIC ART; AND~~

3 ~~(XII) PEDESTRIAN AND VEHICULAR BRIDGES;~~

4 ~~(12) ISSUING LOANS FOR THE PURPOSE OF ENCOURAGING~~
5 ~~DEVELOPMENT IN THE DEVELOPMENT DISTRICT, RISE ZONE, OR SUSTAINABLE~~
6 ~~COMMUNITY;~~

7 ~~(13) ADMINISTRATIVE OVERHEAD, LEGAL, OR OTHER OPERATING~~
8 ~~EXPENSES OF AN AUTHORITY, INCLUDING THE FEES AND EXPENSES OF~~
9 ~~CONSULTANTS;~~

10 ~~(14) FINANCING OR REFINANCING ALL OR PART OF:~~

11 ~~(I) DEVELOPMENT COSTS OF A DEVELOPMENT DISTRICT,~~
12 ~~INCLUDING ENVIRONMENTAL REMEDIATION;~~

13 ~~(II) IF THE EXPENDITURES ARE RELATED TO HOUSING IN A~~
14 ~~DEVELOPMENT DISTRICT:~~

15 ~~1. THE ACQUISITION OF THE LAND; AND~~

16 ~~2. THE COST OF INSTALLATION, CONSTRUCTION, OR~~
17 ~~REHABILITATION OF THE HOUSING RELATED BUILDING, FACILITY, STRUCTURE, OR~~
18 ~~OTHER HOUSING IMPROVEMENT, INCLUDING INFRASTRUCTURE IMPROVEMENTS~~
19 ~~RELATED TO HOUSING; AND~~

20 ~~(III) IF THE EXPENDITURES ARE RELATED TO HOUSING NOT IN A~~
21 ~~DEVELOPMENT DISTRICT:~~

22 ~~1. REPLACING HOUSING UNITS LOST IN A DEVELOPMENT~~
23 ~~DISTRICT;~~

24 ~~2. INCREASING, IMPROVING, OR PRESERVING THE~~
25 ~~SUPPLY OF AFFORDABLE HOUSING WITHIN THE BOUNDARY OF THE DEVELOPMENT~~
26 ~~DISTRICT; OR~~

27 ~~3. RELOCATING MOBILE HOME PARK RESIDENTS~~
28 ~~DISPLACED BY DEVELOPMENT INSIDE OR OUTSIDE A DEVELOPMENT DISTRICT;~~

1 ~~(15) AFFORDABLE HOUSING OR HOMELESS ASSISTANCE, TO LEND,~~
2 ~~GRANT, OR CONTRIBUTE FUNDS TO A PERSON, PUBLIC OR PRIVATE ENTITY,~~
3 ~~HOUSING AUTHORITY, OR NONPROFIT ENTITY;~~

4 ~~(16) AN INCENTIVE OR OTHER CONSIDERATION PAID WITH RESPECT~~
5 ~~TO A DEVELOPMENT DISTRICT;~~

6 ~~(17) THE ACQUISITION OF LAND AND THE COST OF THE INSTALLATION~~
7 ~~AND CONSTRUCTION OF ANY PUBLICLY OWNED BUILDING, FACILITY, STRUCTURE,~~
8 ~~OR OTHER IMPROVEMENT WITHIN THE DEVELOPMENT DISTRICT;~~

9 ~~(18) IF THE BOARD OF DIRECTORS ESTABLISHED UNDER § 12-106 OF~~
10 ~~THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND~~
11 ~~AND THE MAYOR AND CITY COUNCIL OF BALTIMORE ADOPT A RESOLUTION THAT~~
12 ~~THE PUBLICLY OWNED INFRASTRUCTURE AND IMPROVEMENTS BENEFIT THE~~
13 ~~DEVELOPMENT DISTRICT, THE INFRASTRUCTURE AND IMPROVEMENTS OUTSIDE~~
14 ~~THE DEVELOPMENT DISTRICT;~~

15 ~~(19) IF THE BOARD OF DIRECTORS ESTABLISHED UNDER § 12-106 OF~~
16 ~~THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND~~
17 ~~AND THE MAYOR AND CITY COUNCIL OF BALTIMORE APPROVE AND PROJECTED~~
18 ~~AUTHORITY FUNDS ARE SUFFICIENT TO REPAY THE LOAN, MAKING LOANS FROM~~
19 ~~ONE DEVELOPMENT DISTRICT TO ANOTHER;~~

20 ~~(20) A GRANT TO THE MAYOR AND CITY COUNCIL OF BALTIMORE TO~~
21 ~~OFFSET THE REVENUES FROM PROPERTY TAXES LEVIED ON A TAX INCREMENT THAT~~
22 ~~WAS PAID TO THE AUTHORITY FOR THE PURPOSES UNDER THIS SECTION;~~

23 ~~(21) (i) CONVENTION, CONFERENCE, OR VISITOR CENTERS; AND~~

24 ~~(ii) MAINTAINING INFRASTRUCTURE IMPROVEMENTS AND~~
25 ~~CONVENTION, CONFERENCE, OR VISITOR CENTERS; AND~~

26 ~~(22) ANY OTHER PURPOSE AUTHORIZED UNDER THIS SECTION OR~~
27 ~~TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE~~
28 ~~ANNOTATED CODE OF MARYLAND.~~

29 ~~(d) Before [issuing] any bonds ARE ISSUED under this section, the Mayor and~~
30 ~~City Council of Baltimore shall:~~

31 ~~(1) designate by ordinance an area or areas within the City of Baltimore as~~
32 ~~a "development district";~~

33 ~~(2) receive from the Supervisor of Assessments a certification as to the~~
34 ~~amount of the original assessable base, or if applicable, the adjusted assessable base; and~~

1 ~~(3) provide that until the bonds have been fully paid or thereafter, the~~
2 ~~property taxes on real property within the development district shall be divided as follows:~~

3 ~~(i) that portion of the taxes which would be produced by the rate at~~
4 ~~which taxes levied each year by the Mayor and City Council of Baltimore upon the original~~
5 ~~taxable value shall be allocated to and when collected paid into the funds of the Mayor and~~
6 ~~City Council of Baltimore in the same manner as taxes by the Mayor and City Council of~~
7 ~~Baltimore on all other property are paid; and~~

8 ~~(ii) that portion of the taxes representing the levy on the tax~~
9 ~~increment that would normally be paid to the Mayor and City Council of Baltimore shall~~
10 ~~be paid into a special fund to be applied in accordance with the provisions of subsection (e)~~
11 ~~of this section. This yield shall not be considered as municipal taxes for the purposes of any~~
12 ~~constant yield tax limitation or State or local restriction. No State real property taxes may~~
13 ~~be paid into the special fund.~~

14 ~~(e) (1) The Mayor and City Council of Baltimore may enact an ordinance~~
15 ~~creating a special fund described in subsection (d)(3)(ii) of this section with respect to a~~
16 ~~development district, even though no bonds authorized by this section have been issued by~~
17 ~~the Mayor and City Council of Baltimore OR AN AUTHORITY with respect to that~~
18 ~~development district or are then outstanding. The taxes allocated to such special fund by~~
19 ~~subsection (d)(3)(ii) of this section shall thereafter be paid over to such special fund, as long~~
20 ~~as such ordinance remains in effect.~~

21 ~~(2) When no bonds authorized by this section are outstanding with respect~~
22 ~~to a development district and the Mayor and City Council of Baltimore by ordinance so~~
23 ~~determines, moneys in the special fund for that development district created pursuant to~~
24 ~~subsection (d)(3)(ii) of this section may be:~~

25 ~~(i) used for any of the purposes described in subsection (e) of this~~
26 ~~section;~~

27 ~~(ii) accumulated for payment of debt service on bonds subsequently~~
28 ~~issued under this section;~~

29 ~~(iii) used to pay or to reimburse the Mayor and City Council of~~
30 ~~Baltimore for debt service which the Mayor and City Council of Baltimore is obligated to~~
31 ~~pay or has paid (whether such obligation is general or limited) on any bonds or State~~
32 ~~obligations; or~~

33 ~~(iv) paid to the Mayor and City Council of Baltimore to provide funds~~
34 ~~to be used for any legal purpose as may be determined by the Mayor and City Council of~~
35 ~~Baltimore OR AUTHORITY.~~

36 ~~(3) When any bonds authorized by this section are outstanding with~~
37 ~~respect to a development district and the Mayor and City Council of Baltimore so~~

1 ~~determines, moneys in the special fund for that development district created pursuant to~~
2 ~~subsection (d)(3)(ii) of this section may be used as provided in paragraph (2) of this~~
3 ~~subsection in any fiscal year by the Mayor and City Council of Baltimore, but only to the~~
4 ~~extent that:~~

5 ~~(i) the amount in such special fund exceeds the unpaid debt service~~
6 ~~payable on such bonds in such fiscal year and is not restricted so as to prohibit the use of~~
7 ~~such moneys; and~~

8 ~~(ii) such use is not prohibited by the ordinance of the Mayor and City~~
9 ~~Council of Baltimore or resolution of the Board of Finance authorizing the issuance of such~~
10 ~~bonds.~~

11 ~~(f) (1) Before [issuing] any bonds ARE ISSUED under this section the Mayor~~
12 ~~and City Council of Baltimore shall enact an ordinance which:~~

13 ~~(i) specifies and describes the proposed undertaking and states that~~
14 ~~it has complied with subsection (d) of this section; and~~

15 ~~(ii) specifies the maximum principal amount of bonds to be issued,~~
16 ~~from time to time or at any time, pursuant to such ordinance.~~

17 ~~(h) (2) All bonds shall be signed manually or in facsimile by the Mayor of the~~
18 ~~City of Baltimore OR THE AUTHORITY, and the seal of the Mayor and City Council of~~
19 ~~Baltimore shall be impressed thereon manually or by facsimile and attested by the~~
20 ~~eustodian of the City seal, manually or by facsimile. If any officer whose signature or~~
21 ~~countersignature appears on the bonds ceases to be such officer before delivery of the bonds,~~
22 ~~his signature or countersignature shall nevertheless be valid and sufficient for all purposes~~
23 ~~the same as if he had remained in office until delivery thereof.~~

24 ~~(j) Whenever the Mayor and City Council of Baltimore OR THE AUTHORITY, as~~
25 ~~lessor, leases its property within the development district, the property shall be assessed~~
26 ~~and taxed in the same manner as privately owned property, and the lease or contract shall~~
27 ~~provide that the lessee shall pay taxes or payments in lieu of taxes upon the assessed value~~
28 ~~of the entire property and not merely the assessed value of the leasehold interest.~~

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