

HOUSE BILL 168

C9, F5

6lr1119

(PRE-FILED)

By: **Delegate Vogel**

Requested: October 7, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Housing and Community Development – Affordable Housing – Educator**
3 **Workforce Housing and Municipal Corporations**

4 FOR the purpose of establishing that providing educator workforce housing is an eligible
5 use of certain financial assistance provided by the Department of Housing and
6 Community Development; establishing that teachers and other employees of a local
7 school system shall be considered a specified group for purposes of the federal
8 Low-Income Housing Tax Credit program; altering the eligible recipients of certain
9 financial assistance; and generally relating to affordable housing.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 4–115
13 Annotated Code of Maryland
14 (2025 Replacement Volume and 2025 Supplement)

15 BY adding to
16 Article – Housing and Community Development
17 Section 1–103
18 Annotated Code of Maryland
19 (2019 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Housing and Community Development
22 Section 4–512, 4–3001 through 4–3004, and 6–405
23 Annotated Code of Maryland
24 (2019 Replacement Volume and 2025 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

2 4-115.

12 (1) Buy or otherwise acquire land, school sites, or buildings; and

13 (2) Rent, repair, improve, and build school buildings or approve contracts
14 for doing so, if the plans conform to the bylaws, rules, and regulations of the State Board.

20 (ii) When the county commissioners or county council receives notice
21 under subparagraph (i) of this paragraph, the county commissioners or county council shall
22 notify the county board within 30 days after receiving the notice from the county board:

1 commissioners or county council and may be used, sold, leased, or otherwise disposed of,
2 except by gift, by the county commissioners or county council.

13 (d) In Baltimore County, the Baltimore County Board of Education must notify
14 the Baltimore County Office of Planning and Zoning of any schools it is considering for
15 closure and request from that Office a written recommendation on the proposed action. If
16 the Office of Planning and Zoning wishes to make a recommendation, it must be submitted
17 to the board no later than November 1 of the calendar year preceding the proposed closure.
18 The board of education shall consider these recommendations at least 3 months before
19 taking final action. These provisions may be waived by mutual agreement.

20 (e) (1) In Baltimore City, the Board of School Commissioners shall notify the
21 Baltimore City Department of Planning of any school buildings the board is considering for
22 closure simultaneously as the board releases its school building closure list in accordance
23 with COMAR 13A.02.09, and request from that department a written recommendation on
24 the proposed action and the relative merit for Baltimore City.

25 (2) A recommendation by the Baltimore City Department of Planning shall
26 be submitted to the board no later than 30 days after notification by the board.

Article – Housing and Community Development

32 1-103.

33 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
34 INDICATED.

7 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION
8 APPLIES TO ANY PROGRAM OPERATED BY THE DEPARTMENT THAT AWARDS LOANS,
9 GRANTS, TAX CREDITS, OR OTHER FINANCIAL SUPPORT THAT MAY BE USED TO
10 DEVELOP AFFORDABLE HOUSING.

15 (C) (1) PROVIDING EDUCATOR WORKFORCE HOUSING, INCLUDING ON
16 LAND, SCHOOL SITES, OR BUILDINGS BOUGHT OR OTHERWISE ACQUIRED BY A
17 COUNTY BOARD OF EDUCATION AND USED TO DEVELOP AFFORDABLE HOUSING, IS
18 AN ELIGIBLE USE OF THE PROCEEDS OF A LOAN, GRANT, TAX CREDIT, OR OTHER
19 FINANCIAL SUPPORT COVERED UNDER THIS SECTION.

31 (D) (1) IT IS THE POLICY OF THE STATE TO SUPPORT EDUCATOR
32 WORKFORCE HOUSING DEVELOPMENT IN THE STATE.

1 **FEDERAL AFFORDABLE HOUSING DEVELOPMENT PROGRAM THAT USES STATE LAW**
2 **TO DETERMINE ELIGIBILITY.**

3 4–512.

4 (a) **(1)** In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS
5 **INDICATED.**

6 **(2)** **“EDUCATOR WORKFORCE HOUSING” HAS THE MEANING STATED
7 IN § 1–103 OF THIS ARTICLE.**

8 **(3)** “Fund” means the Housing Innovation Fund.

9 (b) There is a Housing Innovation Fund.

10 (c) The purpose of the Fund is to provide loans for local housing authorities [and],
11 county governments, **MUNICIPAL CORPORATIONS, AND COUNTY BOARDS OF**
12 **EDUCATION** to develop mixed-income, cross-subsidized housing **AND EDUCATOR**
13 **WORKFORCE HOUSING.**

14 (d) The Department shall administer the Fund.

15 (e) **(1)** The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
16 the State Finance and Procurement Article.

17 **(2)** The State Treasurer shall hold the Fund separately, and the
18 Comptroller shall account for the Fund.

19 (f) The Fund consists of:

20 **(1)** money appropriated in the State budget to the Fund; and

21 **(2)** any other money from any other source accepted for the benefit of the
22 Fund.

23 (g) **(1)** Subject to paragraph (2) of this subsection and subsection (j) of this
24 section, the Fund may be used only to provide low– or no–interest loans to local housing
25 authorities [or to], county governments, **MUNICIPAL CORPORATIONS, OR COUNTY**
26 **BOARDS OF EDUCATION** partnering with housing developers through the Housing
27 Innovation Pilot Program in accordance with Subtitle 30 of this title.

28 **(2)** The Fund may be used for projects where a county, **MUNICIPAL**
29 **CORPORATION, OR COUNTY BOARD OF EDUCATION**, in conjunction with a local housing
30 authority or a housing developer, acquires existing private sector housing.

3 (2) Any interest earnings of the Fund shall be credited to the General Fund
4 of the State.

5 (i) Expenditures from the Fund may be made only in accordance with the State
6 budget.

10 (ii) For fiscal year 2026 and each fiscal year thereafter, an allocation
11 to the Fund in a fiscal year shall be committed to projects before the end of that fiscal year,
12 subject to applicants being afforded a reasonable period of time to complete the application.

17 4-3001.

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

19 (b) "Authority" has the meaning stated in § 12–101 of this article.

20 (c) "Fund" means the Housing Innovation Fund.

(d) “Housing innovation project” means a project to provide mixed-income, cross-subsidized housing **OR EDUCATOR WORKFORCE HOUSING** that qualifies under § 4–3003 of this subtitle.

24 (e) "Program" means the Housing Innovation Pilot Program.

25 (f) "Public ownership" means that the authority of the political subdivision of the
26 state in which **OR THE COUNTY BOARD OF EDUCATION IN WHOSE JURISDICTION** the
27 project is located possesses majority ownership or control.

28 4-3002.

29 (a) There is a Housing Innovation Pilot Program.

30 (b) The purposes of the Program are:

(2) to reward counties, MUNICIPAL CORPORATIONS, AND COUNTY BOARDS OF EDUCATION pursuing innovative solutions to the problem of housing scarcity.

6 (c) The Program shall be operated with money in the Fund.

7 4-3003.

8 (a) A project qualifies as a housing innovation project if it provides new housing
9 in which:

10 (1) at least 20% of the units are set aside for households with a gross
11 annual income of not more than 50% of the area median income for a household of like size;
12 [or]

18 (b) The Department shall prioritize funding for projects that best meet the
19 following guidelines:

20 (1) the project does not use low-income housing tax credit equity or
21 tax-exempt volume cap;

22 (2) the [affordable] set-asides required under subsection (a) of this section
23 remain restricted at elected levels for at least 99 years;

24 (3) the project remains in public ownership; and

25 (4) the project includes a commitment to prevailing wage requirements.

26 4-3004.

27 (a) The Department shall:

28 (1) coordinate with local housing authorities [and], county governments,
29 **MUNICIPAL CORPORATIONS, AND COUNTY BOARDS OF EDUCATION** to ensure access to
30 other financial resources, including senior debt products;

- (2) develop new resources in support of statewide housing production;
- (3) solicit applicants for the Program; and
- (4) subject to subsection (b) of this section, select three projects to receive funds from the Program each in a different jurisdiction.

The Department may select fewer than three projects to fund if there is an insufficient number of eligible applicants.

7 6-405.

11 (2) The project may include:

12 (i) community services, including child care and recreational
13 services;

19 [iv] (v) education; and

²⁰ [(v)] (vi) crime prevention.

21 (b) A proposal under this section shall include:

22 (1) the project to be conducted;

23 (2) the priority funding area that will benefit from the project;

(3) a description of the applicant's experience and capabilities;

25 (4) the estimated costs of the project;

26 (5) a description of the plans for implementing the project; and

27 (6) any other information that the Department determines is necessary.

(i) each county that includes any of the priority funding area that benefits from the project, if the project is not in a municipal corporation;

19 [(3)] (4) An approval shall:

20 (i) be in writing; and

21 (ii) state the maximum amount of contributions to the approved
22 project that are eligible for a tax credit under § 6-404 of this subtitle.

23 **[(4)] (5)** If the Department does not receive notice of approval or denial of
24 an application from the affected jurisdictions within 45 days after notice of the proposed
25 project is given in accordance with paragraph (1) of this subsection, the Department may
26 approve the application.

27 **(5) (6)** The sum of contributions eligible for a tax credit under § 6-404
28 of this subtitle for all approved projects for a fiscal year may not exceed \$3,500,000.

29 (d) In approving or disapproving a proposal and in determining the maximum
30 amount of contributions eligible for tax credits under § 6-404 of this subtitle, the
31 Department:

32 (1) shall consider:

- (i) the need for the project in relation to the need for other proposed
- (ii) the anticipated benefit to the priority funding area;
- (iii) the capacity of the applicant to raise money for the project;
- (iv) the readiness of the applicant to proceed with the project;
- (v) the ability of the applicant to complete the project as proposed;
- (vi) the geographic distribution of projects; and
- (vii) any other relevant factors;

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 6.