

SENATE BILL 58

C8

5lr0690

By: **Senator Simonaire**

Introduced and read first time: January 23, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Housing and Community Development – Notice of Proposed Projects**

3 FOR the purpose of requiring the Community Development Administration in the
4 Department of Housing and Community Development to provide written notice and
5 a reasonable opportunity to comment to the Senate and House delegations for the
6 county in which a proposed community development project or a public purpose
7 project is located; requiring the Department to provide written notice and a
8 reasonable opportunity to comment to the Senate and House delegations for the
9 county in which a proposed project under the Rental Housing Program is located;
10 and generally relating to notice of proposed projects by the Department of Housing
11 and Community Development.

12 BY repealing and reenacting, without amendments,
13 Article – Housing and Community Development
14 Section 4–101(a) and (b) and 4–401(a) and (e)
15 Annotated Code of Maryland
16 (2006 Volume and 2014 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Housing and Community Development
19 Section 4–213 and 4–404
20 Annotated Code of Maryland
21 (2006 Volume and 2014 Supplement)

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

24 **Article – Housing and Community Development**

25 4–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this title the following words have the meanings indicated.

2 (b) "Administration" means the Community Development Administration.

3 4–213.

4 (a) In accordance with regulations that the Secretary adopts, an agreement that
5 the Administration makes to carry out its functions and responsibilities under §§ 4–211,
6 4–214, and 4–225 through 4–235 of this subtitle shall be approved by:

7 (1) the Secretary; and

8 (2) the Board of Public Works, if its approval is required by law.

9 (b) The Administration shall provide written notice and a reasonable opportunity
10 to comment to:

11 **(1)** the chief executive officer or the equivalent officer and the head or
12 president of the legislative body of the political subdivision in which a proposed community
13 development project or a public purpose project is located; **AND**

14 **(2) THE SENATE DELEGATION AND THE HOUSE DELEGATION FOR**
15 **THE COUNTY IN WHICH A PROPOSED COMMUNITY DEVELOPMENT PROJECT OR A**
16 **PUBLIC PURPOSE PROJECT IS LOCATED.**

17 (c) If the proposed project is located in a municipal corporation, the notice
18 required under subsection (b) of this section shall be sent to the chief executive officer and
19 head or president of the legislative body of the municipal corporation and not to the county.

20 (d) A project that the Administration finances is subject to applicable zoning and
21 building codes.

22 (e) (1) This subsection applies notwithstanding any other provision of this
23 subtitle or other State law.

24 (2) In exercising its functions and responsibilities, the Administration may
25 sell or lease for a term not exceeding 99 years all or part of the real, mixed, or personal
26 property constituting a community development project.

27 (3) A sale or lease under this section may be made:

28 (i) without public bidding or public sale; and

29 (ii) on terms and conditions that make housing in that development
30 economically feasible for families of limited income.

1 (4) A sale or lease under this section shall conform with a plan for
2 community development that the Secretary approves at a public hearing held after notice
3 is published in at least one newspaper of general circulation in the political subdivision in
4 which the development is located.

5 (5) The plan for community development presented at the hearing shall be
6 in accordance with regulations that the Secretary adopts, requiring:

7 (i) a description of the property;

8 (ii) a statement of the identity of the proposed purchaser or lessee
9 and the proposed use or reuse of the property;

10 (iii) the price or rental to be paid by the purchaser or lessee; and

11 (iv) the conditions of the sale or lease that ensure that the community
12 development purposes of this subtitle will be carried out.

13 (f) In carrying out this subtitle, the Administration shall comply with local laws
14 applicable to the community development project.

15 (g) (1) In carrying out this subtitle, the Administration shall:

16 (i) foster local initiative and participation in community
17 development activities; and

18 (ii) consider local and regional goals and policies as expressed in
19 urban renewal, community renewal, and local comprehensive land use plans and regional
20 plans.

21 (2) Wherever possible, the Administration shall carry out community
22 development projects together with and through the use of:

23 (i) private enterprise;

24 (ii) limited dividend corporations;

25 (iii) local development agencies; and

26 (iv) local development entities.

27 4-401.

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

29 (e) "Program" means the Rental Housing Program.

1 4-404.

2 (a) The Department shall:

3 (1) administer the Program;

4 (2) adopt policies to ensure that rental housing is made available to
5 households of limited income;

6 (3) develop procedures to ensure that the projects receiving financial
7 assistance from the Program are in compliance with applicable occupancy restrictions;

8 (4) use federal and State programs to help carry out the Program; and

9 (5) encourage the assistance or participation of local political subdivisions.

10 (b) The Secretary shall set income guidelines by considering:

11 (1) the median income for the area;

12 (2) the minimum income needed to afford available standard rental units
13 in the area;

14 (3) federal income guidelines, including the requirements of the Federal
15 Low-Income Housing Tax Credit Program; and

16 (4) any other relevant factor.

17 (c) In administering the Program under this subtitle, the Department may act
18 either directly or through the Administration.

19 (d) The Department shall provide written notice and a reasonable opportunity to
20 comment to:

21 **(1)** the chief executive officer or the equivalent officer and the head or
22 president of the legislative body of the political subdivision in which a proposed project is
23 located; **AND**

24 **(2) THE SENATE DELEGATION AND THE HOUSE DELEGATION FOR**
25 **THE COUNTY IN WHICH A PROPOSED PROJECT IS LOCATED.**

26 (e) If the proposed project is located in a municipal corporation, the notice
27 required under subsection (d) of this section shall be sent to the chief executive officer and
28 head or president of the municipal corporation and not to the county.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.