

PART IV. APPROVAL AND INSURANCE OF MORTGAGE LOANS.

13-129. GENERAL POWER TO APPROVE AND INSURE.

SUBJECT TO THE PROVISIONS OF THIS SUBTITLE, THE AUTHORITY, ON APPLICATION OF A PROPOSED MORTGAGOR, MAY:

(1) APPROVE A MORTGAGE LOAN FOR AN INDUSTRIAL PROJECT, WHETHER OR NOT THE AUTHORITY WILL INSURE THE LOAN; AND

(2) IF THE MORTGAGE LOAN IS APPROVED BY THE AUTHORITY, INSURE ANY PART OR ALL OF THE MORTGAGE PAYMENTS REQUIRED UNDER A MORTGAGE SECURED BY AN INDUSTRIAL PROJECT, SUBJECT TO THE TERMS AND CONDITIONS THAT THE AUTHORITY SETS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 41, §§ 266L, 266P(12), and the first clause of 266T(a).

As to item (1) of this section and the reference to a "mortgage" loan, see the General Revisor's Note to this subtitle.

13-130. GENERAL LIMITATIONS ON POWER TO APPROVE.

(A) REMOVAL OR ABANDONMENT OF FACILITIES.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE AUTHORITY MAY NOT APPROVE ANY MORTGAGE LOAN FOR AN INDUSTRIAL PROJECT IF COMPLETION OF THE PROJECT WOULD RESULT IN:

(I) THE REMOVAL OF THE BUSINESS CONDUCTED IN ANY PLANT OR FACILITY OF THE PROJECT OCCUPANT FROM ONE AREA OF THIS STATE TO ANOTHER AREA OF THIS STATE; OR

(II) THE ABANDONMENT OF ANY PLANT OR FACILITY OF THE PROJECT OCCUPANT IN THIS STATE.

(2) THIS SUBSECTION DOES NOT APPLY IF THE AUTHORITY, ON THE BASIS OF THE APPLICATION, FINDS THAT THE LOAN IS REASONABLY NECESSARY TO:

(I) DISCOURAGE THE PROJECT OCCUPANT FROM REMOVING THE BUSINESS CONDUCTED IN THE PLANT OR FACILITY FROM THIS STATE; OR

(II) PRESERVE THE COMPETITIVE POSITION OF THE PROJECT OCCUPANT IN ITS INDUSTRY.

(B) ECONOMIC IMPACT OF PROJECT.

(1) THE AUTHORITY MAY NOT APPROVE ANY MORTGAGE LOAN FOR AN INDUSTRIAL PROJECT UNLESS THE AUTHORITY CONSIDERS THE ECONOMIC IMPACT OF THE PROJECT TO BE SUBSTANTIAL.