

AN ACT concerning

**Affordable Housing Programs – Waiver or Modification of Fees and Charges –
Enabling Authority for Counties and Municipalities**

FOR the purpose of authorizing counties and municipalities to support, foster, or promote an affordable housing program for individuals or families of low or moderate income by waiving or modifying certain fees and charges for construction or rehabilitation of certain housing units under certain circumstances; requiring the Department of Housing and Community Development to report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the authority of counties and municipalities to take action to support, foster, and promote affordable housing.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 21-101

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

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

Article 24 – Political Subdivisions – Miscellaneous Provisions

21-101.

To support, foster, or promote an affordable housing program for individuals or families of low or moderate income, a county or municipality may:

(1) Establish local trust funds or provide for the appropriation of funds;

(2) WAIVE OR MODIFY ~~IMPACT~~ BUILDING PERMIT OR DEVELOPMENT IMPACT FEES AND CHARGES THAT ARE NOT MANDATED UNDER STATE LAW FOR THE CONSTRUCTION OR REHABILITATION OF LOWER INCOME HOUSING UNITS BY A NONPROFIT ORGANIZATION THAT HAS BEEN EXEMPT FROM TAXATION UNDER § 503(C)(3) OF THE INTERNAL REVENUE CODE FOR A PERIOD OF AT LEAST 3 YEARS, IF:

(I) IN PROPORTION TO THE NUMBER OF LOWER INCOME HOUSING UNITS OF A DEVELOPMENT; AND