

(II) THAT ARE:

(H) 1. ~~THE NONPROFIT ORGANIZATION RECEIVES FINANCED, IN WHOLE OR IN PART, BY PUBLIC FUNDING WITH THAT REQUIRES MORTGAGE RESTRICTIONS OR RECORDED COVENANTS RESTRICTING THE RENTAL OR SALE OF THE HOUSING UNITS TO LOWER INCOME RESIDENTS IN ACCORDANCE WITH SPECIFIC GOVERNMENT PROGRAM REQUIREMENTS; OR~~

(H) 2. ~~THE DEVELOPED BY A NONPROFIT ORGANIZATION REQUIRES THAT:~~

A. HAS BEEN EXEMPT FROM FEDERAL TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE FOR A PERIOD OF AT LEAST 3 YEARS; AND

B. REQUIRES THE HOMEBUYER TO PARTICIPATE IN THE CONSTRUCTION OR REHABILITATION OF THE HOUSING UNIT;

[(2)] (3) Enact legislation that restricts cost and resale prices and requires development of affordable housing units as part of any subdivision in return for added density;

[(3)] (4) Provide land or property from the inventory of the county or municipality; and

[(4)] (5) Support PILOT (payment in lieu of taxes) programs to encourage construction of affordable housing.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2010, the Department of Housing and Community Development shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(1) The counties and municipalities that waived or modified impact building permit or development fees in accordance with this Act;

(2) The number and type of housing units for which the fees were waived or modified in accordance with this Act;

(3) The amount of impact building permit or development fees that a county or municipality waived for the construction of housing units in accordance with this Act; and