

HOUSE BILL 1010

Q2

11r2019

By: **Prince George's County Delegation**

Introduced and read first time: February 5, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2021

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Payment in Lieu of Taxes Agreements – Low-Income**
3 **Housing**

4 **PG 415–21**

5 FOR the purpose of authorizing the governing body of Prince George's County to enter into
6 an agreement with an owner of real property who is engaged in constructing or
7 operating housing structures or projects for the payment of a negotiated amount in
8 lieu of county property taxes on the property; requiring property that is subject to a
9 payment in lieu of taxes agreement to be used for a housing structure or project that
10 is constructed or rehabilitated under certain programs or acquired under a certain
11 county program; requiring the owner of real property subject to a payment in lieu of
12 taxes agreement to agree to certain requirements for the use of the property for
13 low-income housing; authorizing real property subject to a payment in lieu of taxes
14 agreement to include certain service facilities; providing that real property subject
15 to a payment in lieu of taxes agreement is exempt from county property tax when
16 certain requirements are met; defining a certain term; and generally relating to
17 payment in lieu of taxes agreements for low-income housing in Prince George's
18 County.

19 BY adding to
20 Article – Tax – Property
21 Section 7–506.3
22 Annotated Code of Maryland
23 (2019 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Tax – Property**

4 **7-506.3.**

5 (A) (1) IN THIS SUBSECTION, “SERVICE FACILITIES” INCLUDES
6 NONDWELLING COMMERCIAL AND COMMUNITY FACILITIES, COMMUNITY ROOMS,
7 DINING HALLS, INFIRMARIES, CHILD AND ADULT DAY CARE FACILITIES, AND DRUG
8 REHABILITATION FACILITIES.

9 (2) IN PRINCE GEORGE’S COUNTY, REAL PROPERTY MAY BE EXEMPT
10 FROM COUNTY PROPERTY TAX IF:

11 (I) THE REAL PROPERTY IS OWNED BY A PERSON ENGAGED IN
12 CONSTRUCTING OR OPERATING HOUSING STRUCTURES OR PROJECTS;

13 (II) THE REAL PROPERTY IS USED FOR A HOUSING STRUCTURE
14 OR PROJECT THAT:

15 1. IS CONSTRUCTED OR REHABILITATED UNDER A
16 FEDERAL, STATE, OR LOCAL GOVERNMENT PROGRAM THAT:

17 A. FUNDS CONSTRUCTION OR REHABILITATION OR
18 INSURES THE FINANCING OF CONSTRUCTION OR REHABILITATION IN WHOLE OR IN
19 PART, INCLUDING A HOUSING INVESTMENT TRUST; OR

20 B. PROVIDES INTEREST SUBSIDY, RENT SUBSIDY, OR
21 RENT SUPPLEMENTS; OR

22 2. IS ACQUIRED UNDER THE RIGHT OF FIRST REFUSAL
23 PROGRAM UNDER SUBTITLE 13, DIVISION 14 OF THE PRINCE GEORGE’S COUNTY
24 CODE;

25 (III) THE OWNER AND THE GOVERNING BODY OF PRINCE
26 GEORGE’S COUNTY AGREE THAT THE OWNER SHALL PAY A NEGOTIATED AMOUNT IN
27 LIEU OF THE APPLICABLE COUNTY PROPERTY TAX; AND

28 (IV) THE OWNER OF THE REAL PROPERTY:

29 1. A. AGREES TO COMMENCE OR CONTINUE TO
30 MAINTAIN THE REAL PROPERTY AS RENTAL HOUSING FOR LOWER INCOME PERSONS

1 UNDER THE REQUIREMENTS OF THE GOVERNMENT PROGRAMS DESCRIBED IN ITEM
2 (II) OF THIS PARAGRAPH; AND

3 B. AGREES TO RENEW ANY ANNUAL CONTRIBUTIONS
4 CONTRACT OR OTHER AGREEMENT FOR RENTAL SUBSIDY OR SUPPLEMENT; OR

5 2. ENTERS INTO AN AGREEMENT WITH THE GOVERNING
6 BODY OF PRINCE GEORGE’S COUNTY TO ALLOW THE ENTIRE PROPERTY OR THE
7 PORTION OF THE PROPERTY THAT WAS MAINTAINED FOR LOWER INCOME PERSONS
8 TO REMAIN AS HOUSING FOR LOWER INCOME PERSONS FOR A TERM OF AT LEAST 5
9 YEARS.

10 (3) IF THE STRUCTURE AND FACILITIES OF THE REAL PROPERTY ARE
11 USED PREDOMINANTLY FOR RESIDENTIAL PURPOSES, THE REAL PROPERTY MAY
12 CONTAIN SERVICE FACILITIES TO SERVE ITS OCCUPANTS AND THE SURROUNDING
13 NEIGHBORHOOD.

14 (B) REAL PROPERTY DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS
15 EXEMPT WHEN THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION ARE MET.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.