

SENATE BILL 848

C9

(3lr0858)

ENROLLED BILL

— *Education, Energy, and the Environment and Budget and Taxation/Environment and Transportation* —

Introduced by **Senators Guzzone, Smith, ~~and Watson~~ Augustine, Brooks, Hester, Kagan, Lewis Young, M. Washington, and Watson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Statewide Rental Assistance Voucher Program – Establishment**

3 FOR the purpose of establishing a Statewide Rental Assistance Voucher Program in the
4 Department of Housing and Community Development to provide vouchers and
5 housing assistance payments for low-income families that are on a certain federal
6 housing program waitlist; requiring the Department and public housing agencies to
7 administer the State Program; and generally relating to the Statewide Rental
8 Assistance Voucher Program.

9 BY repealing and reenacting, with amendments,
10 Article – Housing and Community Development
11 Section 4–101, 4–103, and 4–1401
12 Annotated Code of Maryland

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.

Italics indicate opposite chamber/conference committee amendments.



(2019 Replacement Volume and 2022 Supplement)

BY adding to

Article – Housing and Community Development

Section 4–2901 through 4–2921 to be under the new subtitle “Subtitle 29. Statewide Rental Assistance Voucher Program”

Annotated Code of Maryland

(2019 Replacement Volume and 2022 Supplement)

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

Article – Housing and Community Development

4–101.

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

(b) “Administration” means the Community Development Administration.

(c) “Division” means the Division of Development Finance.

(d) “Elderly household” means, **EXCEPT AS PROVIDED IN § 4–2901 OF THIS TITLE**, one or more individuals who occupy a residential dwelling unit, at least one of whom meets the age limit specified by the Secretary that:

(1) is greater than or equal to age 55; and

(2) may vary for different programs or types of projects.

(e) “Nonprofit sponsor” means a sponsor that is:

(1) a nonprofit organization; or

(2) a limited partnership, if:

(i) 1. each general partner is a nonprofit organization; or

2. each general partner is a wholly owned subsidiary of a nonprofit organization;

(ii) the limited partnership is formed to undertake a project that is eligible as a whole or in part for a federal program or incentive, including low-income housing tax credits; and

(iii) a nonprofit organization manages the project or will receive the net cash flow or residual sale proceeds on the sale of the project.

1 4–103.

2 The Division includes:

- 3 (1) the Community Development Administration;
- 4 (2) the Disaster Relief Housing Program;
- 5 (3) the Down Payment and Settlement Expense Loan Program;
- 6 (4) federal and State weatherization programs;
- 7 (5) the Group Home Financing Program;
- 8 (6) the Lead Hazard Reduction Grant Program;
- 9 (7) the Lead Hazard Reduction Loan Program;
- 10 (8) the local government infrastructure program;
- 11 (9) the Maryland Home Financing Program;
- 12 (10) the Maryland Housing Rehabilitation Program;
- 13 (11) the Neighborhood Housing Services Fund;
- 14 (12) the Operating Assistance Grants Demonstration Projects;
- 15 (13) the Partnership Rental Housing Program;
- 16 (14) the Radium Grant Program;
- 17 (15) the Rental Allowance Program, **THE STATEWIDE RENTAL**
18 **ASSISTANCE VOUCHER PROGRAM**, and other rental assistance programs;
- 19 (16) the Rental Housing Program; and
- 20 (17) the Self–Help Homeownership Technical Assistance Program.

21 4–1401.

22 In this subtitle, “programs” means rental assistance programs other than the Rental
23 Allowance Program established under § 4–1403 of this subtitle **AND THE STATEWIDE**
24 **RENTAL ASSISTANCE VOUCHER PROGRAM ESTABLISHED UNDER SUBTITLE 29 OF**
25 **THIS TITLE.**

1 **SUBTITLE 29. STATEWIDE RENTAL ASSISTANCE VOUCHER PROGRAM.**

2 **4-2901.**

3 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 ~~**(B) “DISABLED” MEANS HAVING:**~~

6 ~~**(1) A DISABILITY UNDER 42 U.S.C. § 423;**~~

7 ~~**(2) A PHYSICAL, MENTAL, OR EMOTIONAL IMPAIRMENT THAT IS**~~
8 ~~**EXPECTED TO BE OF LONG CONTINUED AND INDEFINITE DURATION, IS EXPECTED**~~
9 ~~**TO SUBSTANTIALLY IMPEDE AN INDIVIDUAL’S ABILITY TO LIVE INDEPENDENTLY,**~~
10 ~~**AND MAY BE IMPROVED BY MORE SUITABLE HOUSING OPTIONS; OR**~~

11 ~~**(3) A DEVELOPMENTAL DISABILITY AS DEFINED IN THE FEDERAL**~~
12 ~~**DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT.**~~

13 **(B) “DISABILITY” MEANS A PHYSICAL OR MENTAL IMPAIRMENT THAT**
14 **SUBSTANTIALLY LIMITS A MAJOR LIFE ACTIVITY.**

15 **(C) “ELDERLY” MEANS AN INDIVIDUAL THAT IS AT LEAST 62 YEARS OLD.**

16 **(D) (1) “FAMILY” MEANS AN INDIVIDUAL OR GROUP OF INDIVIDUALS**
17 **ELIGIBLE FOR ASSISTANCE UNDER THE STATE PROGRAM.**

18 **(2) “FAMILY” INCLUDES A PREFERENCE CATEGORY ESTABLISHED**
19 **UNDER ~~§ 4-2906(B)~~ § 4-2906 OF THIS SUBTITLE.**

20 **(E) “HOUSING ASSISTANCE PAYMENT” MEANS THE MONTHLY ASSISTANCE**
21 **PAYMENT PAID FOR A FAMILY UNDER THE STATE PROGRAM.**

22 **(F) “HOUSING CHOICE VOUCHER PROGRAM” MEANS THE PROGRAM**
23 **ESTABLISHED UNDER 24 C.F.R. PART 982.**

24 **(G) “LIVE-IN AIDE” MEANS AN INDIVIDUAL THAT:**

25 **(1) MEETS THE REQUIREMENTS UNDER 24 C.F.R. § 5.403; AND**

26 **(2) RESIDES WITH AN ELDERLY OR DISABLED INDIVIDUAL WHO**
27 **RECEIVES ASSISTANCE UNDER THE STATE PROGRAM.**

1 **(H) “PAYMENT STANDARD” MEANS THE MAXIMUM MONTHLY HOUSING**
2 **ASSISTANCE PAYMENT FOR A FAMILY ASSISTED UNDER THE STATE PROGRAM.**

3 **(I) (1) “PUBLIC HOUSING AGENCY” MEANS AN ENTITY AUTHORIZED BY**
4 **THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ADMINISTER**
5 **THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM IN THE STATE.**

6 **(2) “PUBLIC HOUSING AGENCY” DOES NOT INCLUDE THE**
7 **DEPARTMENT.**

8 **(J) “STATE PROGRAM” MEANS THE STATEWIDE RENTAL ASSISTANCE**
9 **VOUCHER PROGRAM ESTABLISHED UNDER THIS SUBTITLE.**

10 **(K) “VOUCHER” MEANS A DOCUMENT ISSUED BY THE DEPARTMENT OR A**
11 **PUBLIC HOUSING AGENCY TO A FAMILY THAT IS SELECTED TO RECEIVE ASSISTANCE**
12 **UNDER THE STATE PROGRAM, WHICH DESCRIBES THE STATE PROGRAM AND**
13 **PROCEDURES UNDER THE STATE PROGRAM.**

14 **4-2902.**

15 **THERE IS A STATEWIDE RENTAL ASSISTANCE VOUCHER PROGRAM IN THE**
16 **DEPARTMENT.**

17 **4-2903.**

18 **THE PURPOSE OF THE STATE PROGRAM IS TO PROVIDE VOUCHERS AND**
19 **HOUSING ASSISTANCE PAYMENTS FOR LOW-INCOME FAMILIES THAT ARE**
20 **CURRENTLY ON A WAITING LIST UNDER THE FEDERAL HOUSING CHOICE VOUCHER**
21 **PROGRAM FOR HOUSING IN UNITS APPROVED BY THE DEPARTMENT OR A PUBLIC**
22 **HOUSING AGENCY, IN ACCORDANCE WITH GUIDELINES UNDER THE FEDERAL**
23 **HOUSING CHOICE VOUCHER PROGRAM.**

24 **4-2904.**

25 **(A) (1) IN POLITICAL SUBDIVISIONS WITHOUT A LOCAL ADMINISTRATOR**
26 **UNDER THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM, THE DEPARTMENT**
27 **SHALL ADMINISTER THE STATE PROGRAM AND ISSUE VOUCHERS AND HOUSING**
28 **ASSISTANCE PAYMENTS TO ASSIST LOW-INCOME HOUSEHOLDS THAT ARE ELIGIBLE**
29 **FOR BUT ARE NOT CURRENTLY RECEIVING HOUSING CHOICE VOUCHERS UNDER THE**
30 **FEDERAL HOUSING CHOICE VOUCHER PROGRAM.**

31 **(2) IN POLITICAL SUBDIVISIONS WITH A PUBLIC HOUSING**
32 **AGENCY-ADMINISTRATOR UNDER THE FEDERAL HOUSING CHOICE VOUCHER**
33 **PROGRAM, THE PUBLIC HOUSING AGENCY SHALL ADMINISTER THE STATE**

1 PROGRAM AND ISSUE VOUCHERS AND HOUSING ASSISTANCE PAYMENTS TO ASSIST
 2 LOW-INCOME HOUSEHOLDS THAT ARE ELIGIBLE FOR BUT ARE NOT CURRENTLY
 3 RECEIVING HOUSING CHOICE VOUCHERS UNDER THE FEDERAL HOUSING CHOICE
 4 VOUCHER PROGRAM.

5 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE STATE
 6 PROGRAM SHALL BE ADMINISTERED IN ACCORDANCE WITH FEDERAL GUIDELINES
 7 UNDER THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM.

8 4-2905.

9 TO BE ELIGIBLE FOR A HOUSING ASSISTANCE PAYMENT UNDER THE STATE
 10 PROGRAM, A FAMILY SHALL:

11 (1) RESIDE IN THE STATE;

12 (2) BE ON A FEDERAL HOUSING CHOICE VOUCHER WAITING LIST; AND

13 (3) MEET LOW-INCOME ELIGIBILITY LIMITS UNDER THE FEDERAL
 14 HOUSING CHOICE VOUCHER PROGRAM OR INCOME REQUIREMENTS AS
 15 DETERMINED BY THE PUBLIC HOUSING AGENCY.

16 4-2906.

17 THE DEPARTMENT AND EACH PUBLIC HOUSING AGENCY SHALL EQUALLY
 18 PRIORITIZE VOUCHERS AND HOUSING ASSISTANCE PAYMENTS FOR FAMILIES THAT
 19 INCLUDE:

20 (1) A CHILD WHO IS UNDER THE AGE OF ~~16~~ 18 YEARS;

21 (2) A FOSTER CHILD WHO IS UNDER THE AGE OF 18:

22 (I) AT LEAST 18 YEARS OLD; BUT

23 (II) UNDER THE AGE OF 24 YEARS;

24 (3) A MILITARY VETERAN;

25 ~~(3)~~ (4) AN INDIVIDUAL EXPERIENCING HOMELESSNESS;

26 ~~(4)~~ (5) A DISABLED INDIVIDUAL; OR

27 ~~(5)~~ (6) AN ELDERLY INDIVIDUAL.

1 4-2907.

2 WHEN AN OFFER OF ASSISTANCE IS MADE, A FAMILY HAS ~~15~~ 30 DAYS TO
3 PROVIDE DOCUMENTATION TO VERIFY THEIR INCOME WITH THE DEPARTMENT OR
4 THE PUBLIC HOUSING AGENCY.

5 4-2908.

6 (A) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL CALCULATE
7 PAYMENT STANDARDS AND HOUSING ASSISTANCE PAYMENTS UNDER THE STATE
8 PROGRAM IN ACCORDANCE WITH GUIDELINES FOR THE FEDERAL HOUSING CHOICE
9 VOUCHER PROGRAM.

10 (B) A FAMILY ASSISTED UNDER THE STATE PROGRAM SHALL BE EXPECTED
11 TO PAY ~~A PROPORTION~~ NOT MORE THAN 30% OF ITS MONTHLY ADJUSTED GROSS
12 INCOME FOR RENT AND UTILITIES, AS DETERMINED BY THE DEPARTMENT OR THE
13 PUBLIC HOUSING AGENCY.

14 4-2909.

15 HOUSING ASSISTANCE PAYMENTS FOR A FAMILY SHALL CONTINUE FOR UP TO
16 5 YEARS OR UNTIL A FEDERAL HOUSING CHOICE VOUCHER UNDER THE FEDERAL
17 HOUSING CHOICE VOUCHER PROGRAM BECOMES AVAILABLE, WHICHEVER OCCURS
18 FIRST.

19 4-2910.

20 (A) A FAMILY MAY REQUEST THAT THE DEPARTMENT OR A PUBLIC
21 HOUSING AGENCY APPROVE A LIVE-IN AIDE ~~IF THE FAMILY IS COMPOSED OF A~~
22 ~~DISABLED INDIVIDUAL WHO IS THE HEAD OF HOUSEHOLD~~ TO PROVIDE NECESSARY
23 SUPPORTIVE SERVICES FOR A FAMILY MEMBER WHO IS A PERSON WITH A
24 DISABILITY.

25 (B) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL ~~APPROVE A~~
26 ~~LIVE-IN AIDE IF A LIVE-IN AIDE IS REQUIRED AS A REASONABLE ACCOMMODATION~~
27 ~~UNDER 24 C.F.R. § 8.11~~ REASONABLY MODIFY ITS POLICIES, PROCEDURES, AND
28 RULES TO ALLOW A FAMILY THAT INCLUDES A PERSON WITH A DISABILITY TO HAVE
29 A LIVE-IN AIDE.

30 (C) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY NOT INCLUDE A
31 LIVE-IN AIDE'S INCOME WHEN DETERMINING A FAMILY'S INCOME ELIGIBILITY
32 UNDER THE STATE PROGRAM.

33 4-2911.

1 (A) (1) ~~(H)~~ THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL
 2 CONDUCT ANNUAL INSPECTIONS OF EACH UNIT RENTED USING HOUSING
 3 ASSISTANCE PAYMENTS TO ENSURE THE CONTINUED COMPLIANCE WITH FEDERAL
 4 HOUSING QUALITY STANDARDS UNDER 24 C.F.R. § 982.401.

5 ~~(H)~~ (2) INSPECTIONS SHALL OCCUR ON OR BEFORE THE
 6 INITIAL LEASE DATE AND EACH YEAR THEREAFTER.

7 ~~(2)~~ (B) FOR A UNIT LOCATED IN A BUILDING WITH 3 TO 49 UNITS,
 8 THE PROPERTY OWNER SHALL PROVIDE THE DEPARTMENT OR THE PUBLIC
 9 HOUSING AGENCY WITH A CERTIFICATE OF OCCUPANCY THAT HAS BEEN
 10 COMPLETED WITHIN 1 YEAR.

11 ~~(3)~~ (C) FOR A UNIT LOCATED IN A BUILDING WITH 50 UNITS OR
 12 MORE, THE PROPERTY OWNER SHALL PROVIDE THE DEPARTMENT OR THE PUBLIC
 13 HOUSING AGENCY WITH AN INSPECTION CERTIFICATE.

14 ~~(B) A PROPERTY OWNER WHO HAS RECEIVED THREE OR MORE PENALTY~~
 15 ~~NOTICES FROM THE DEPARTMENT OR A PUBLIC HOUSING AGENCY FOR A VIOLATION~~
 16 ~~OF FEDERAL HOUSING QUALITY STANDARDS IS NOT ELIGIBLE TO LEASE THE~~
 17 ~~OWNER'S PROPERTIES TO FAMILIES RECEIVING ASSISTANCE UNDER THE STATE~~
 18 ~~PROGRAM.~~

19 4-2912.

20 THE DEPARTMENT SHALL ENSURE THAT SUBSIDY STANDARDS FOR UNIT
 21 SELECTION COMPLY WITH FEDERAL GUIDELINES UNDER THE HOUSING CHOICE
 22 VOUCHER PROGRAM, INCLUDING THE MANDATE TO PROVIDE FOR THE SMALLEST
 23 NUMBER OF BEDROOMS NEEDED TO HOUSE A FAMILY WITHOUT OVERCROWDING.

24 4-2913.

25 (A) (1) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY DENY
 26 ASSISTANCE UNDER THE STATE PROGRAM BY:

27 ~~(I) DENYING LISTING ON THE STATE PROGRAM LIST;~~

28 ~~(H)~~ (I) DENYING A VOUCHER UNDER THE STATE PROGRAM;

29 ~~(H)~~ (II) WITHDRAWING A STATE PROGRAM VOUCHER;

30 ~~(IV)~~ (III) REFUSING TO ENTER INTO A CONTRACT FOR HOUSING
 31 ASSISTANCE PAYMENTS; OR

1 ~~(v)~~ **(IV)** REFUSING TO APPROVE A LEASE UNDER THE STATE
2 PROGRAM.

3 **(2)** THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL DENY
4 ASSISTANCE UNDER THE STATE PROGRAM TO:

5 ~~(f)~~ SEX OFFENDERS WHO ARE SUBJECT TO A LIFETIME
6 REGISTRATION REQUIREMENT UNDER A STATE SEX OFFENDER REGISTRATION
7 PROGRAM;~~AND~~

8 ~~(h)~~ ~~ALL OTHER SEX OFFENDERS, FOR 10 YEARS FOLLOWING~~
9 ~~THEIR CONVICTION FOR A SEX RELATED CRIME.~~

10 **(3)** THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY DENY
11 ASSISTANCE UNDER THE STATE PROGRAM IF THE DEPARTMENT OR A PUBLIC
12 HOUSING AGENCY FINDS THAT ANY INDIVIDUAL ~~IN A FAMILY~~ RESIDING IN A UNIT
13 RENTED USING ASSISTANCE FROM THE STATE PROGRAM HAS BEEN CONVICTED OF:

14 **(I)** A DRUG-RELATED CRIME UNDER STATE LAW; OR

15 **(II)** A VIOLENT CRIME.

16 **(4)** IF THE DEPARTMENT OR PUBLIC HOUSING AGENCY DENIES
17 ASSISTANCE UNDER THE STATE PROGRAM, THE DEPARTMENT OR THE PUBLIC
18 HOUSING AGENCY SHALL PROMPTLY PROVIDE THE APPLICANT WITH A NOTICE
19 EXPLAINING THE DENIAL AND INDICATING THAT THE APPLICANT MAY REQUEST AN
20 INFORMAL REVIEW.

21 **(B)** **(1)** THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY
22 TERMINATE ASSISTANCE UNDER THE STATE PROGRAM BY:

23 **(I)** REFUSING TO ENTER INTO A STATE PROGRAM CONTRACT;

24 **(II)** REFUSING TO APPROVE A LEASE UNDER THE STATE
25 PROGRAM; OR

26 **(III)** TERMINATING HOUSING ASSISTANCE PAYMENTS UNDER A
27 STATE PROGRAM CONTRACT.

28 **(2)** THE DEPARTMENT OR A PUBLIC AGENCY SHALL TERMINATE
29 ASSISTANCE UNDER THE STATE PROGRAM FOR:

1 (I) FAMILIES WHO WERE EVICTED UNDER THE STATE
2 PROGRAM FOR SERIOUS VIOLATIONS OF THE LEASE;

3 (II) FAMILIES WHO FAIL TO SIGN ANY FORMS FROM THE
4 DEPARTMENT OR A PUBLIC HOUSING AGENCY INDICATING CONSENT TO OBTAIN
5 INFORMATION; AND

6 (III) SEX OFFENDERS SUBJECT TO A LIFETIME REGISTRATION
7 REQUIREMENT UNDER A STATE SEX OFFENDER REGISTRATION PROGRAM;²

8 ~~(IV) ALL OTHER SEX OFFENDERS, FOR 10 YEARS FOLLOWING
9 THEIR CONVICTION FOR A SEX-RELATED CRIME UNDER STATE LAW; AND~~

10 ~~(V) FAMILIES THAT ARE ABSENT FROM A STATE PROGRAM UNIT
11 FOR MORE THAN 180 CONSECUTIVE DAYS.~~

12 (C) ~~AFTER CONSIDERING~~ WHEN DETERMINING THE DENIAL OR
13 TERMINATION OF ASSISTANCE UNDER THE STATE PROGRAM, THE DEPARTMENT
14 MAY CONSIDER ALL RELEVANT CIRCUMSTANCES, INCLUDING THE SERIOUSNESS OF
15 THE CASE, THE EXTENT OF PARTICIPATION OR CULPABILITY OF INDIVIDUAL FAMILY
16 MEMBERS, MITIGATING CIRCUMSTANCES RELATED TO THE DISABILITY OF A FAMILY
17 MEMBER, AND THE EFFECTS OF DENIAL OR TERMINATION OF ASSISTANCE ON
18 OTHER FAMILY MEMBERS WHO WERE NOT INVOLVED IN THE ACTION OR FAILURE;
19 ~~THE DEPARTMENT OR THE PUBLIC HOUSING AGENCY MAY DENY ADMISSION INTO~~
20 ~~OR TERMINATE ASSISTANCE UNDER THE STATE PROGRAM~~ IF A FAMILY MEMBER:

21 (1) VIOLATES ANY OBLIGATIONS UNDER THE STATE PROGRAM;

22 (2) HAS BEEN EVICTED FROM FEDERALLY ASSISTED HOUSING FOR
23 VIOLENT CRIMINAL ACTIVITY THAT THREATENED THE HEALTH, SAFETY, OR
24 WELFARE OF OTHER RESIDENTS WITHIN THE PRECEDING 3 YEARS;

25 (3) HAS COMMITTED FRAUD, BRIBERY, OR ANY OTHER CORRUPT OR
26 CRIMINAL ACT IN CONNECTION WITH THE STATE PROGRAM;

27 (4) OWES A FINANCIAL OBLIGATION TO THE DEPARTMENT OR PUBLIC
28 HOUSING AGENCY IN CONNECTION WITH ANOTHER HOUSING OR RENTAL
29 ASSISTANCE PROGRAM;

30 (5) BREACHES A REPAYMENT AGREEMENT TO PAY AMOUNTS OWED
31 TO THE DEPARTMENT OR PUBLIC HOUSING AGENCY; ~~OR~~

1 **(6) HAS ENGAGED IN OR THREATENED ABUSIVE OR VIOLENT**
2 **BEHAVIOR TOWARD DEPARTMENT OR PUBLIC HOUSING AGENCY EMPLOYEES, THE**
3 **PROPERTY OWNER OR PROPERTY MANAGEMENT STAFF, OR OTHER RESIDENTS; OR**

4 **(7) RECEIVES ASSISTANCE UNDER THE STATE PROGRAM AND IS**
5 **ABSENT FROM THE UNIT FOR MORE THAN 180 CONSECUTIVE DAYS.**

6 **(D) (1) THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY PROHIBIT**
7 **OTHER FAMILY MEMBERS WHO PARTICIPATED IN OR WERE CULPABLE FOR ACTIONS**
8 **SPECIFIED UNDER THIS SECTION FROM RESIDING IN A UNIT RENTED USING**
9 **ASSISTANCE FROM THE STATE PROGRAM.**

10 **(2) IN MAKING THE DETERMINATION UNDER PARAGRAPH (1) OF THIS**
11 **SUBSECTION, THE DEPARTMENT OR A PUBLIC HOUSING AGENCY MAY CONSIDER:**

12 **(I) THE SERIOUSNESS OF THE CASE;**

13 **(II) THE EXTENT OF PARTICIPATION BY OR CULPABILITY OF**
14 **INDIVIDUAL FAMILY MEMBERS;**

15 **(III) MITIGATING CIRCUMSTANCES RELATED TO THE DISABILITY**
16 **OF A FAMILY MEMBER; AND**

17 **(IV) THE EFFECTS OF THE PROHIBITION ON OTHER FAMILY**
18 **MEMBERS WHO WERE NOT INVOLVED IN THE ACTION OR FAILURE.**

19 **4-2914.**

20 **(A) A FAMILY THAT RECEIVES A VOUCHER UNDER THE STATE PROGRAM**
21 **SHALL:**

22 **(1) SUPPLY ANY INFORMATION TO THE DEPARTMENT OR THE PUBLIC**
23 **HOUSING AGENCY NECESSARY FOR THE ADMINISTRATION OF THE STATE PROGRAM;**

24 **(2) NOTIFY THE DEPARTMENT OR THE PUBLIC HOUSING AGENCY**
25 **BEFORE VACATING THE UNIT;**

26 **(3) USE THE UNIT ONLY AS A PRINCIPAL PLACE OF RESIDENCE; AND**

27 **(4) MAINTAIN ALL UTILITIES THAT ARE NOT PAID THROUGH THE**
28 **HOUSING ASSISTANCE PAYMENT.**

29 **(B) A FAMILY THAT RECEIVES A VOUCHER UNDER THE STATE PROGRAM**
30 **MAY NOT:**

1 (1) ~~HAVE A FINANCIAL INTEREST IN THE UNIT~~ OWN THE UNIT THAT
2 THE ASSISTANCE IS PROVIDED FOR;

3 (2) COMMIT FRAUD IN CONNECTION WITH THE STATE PROGRAM; ~~OR~~

4 (3) SUBLEASE OR ASSIGN THE LEASE OR TRANSFER THE UNIT; OR

5 (4) ALLOW ANYONE NOT ON THE UNIT LEASE TO RESIDE IN THE UNIT.

6 4-2915.

7 THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL GIVE EACH FAMILY
8 THAT RECEIVES ASSISTANCE UNDER THE STATE PROGRAM A WRITTEN
9 DESCRIPTION OF:

10 (1) THE FAMILY'S OBLIGATIONS UNDER THE STATE PROGRAM;

11 (2) THE GROUNDS ON WHICH THE DEPARTMENT OR THE PUBLIC
12 HOUSING AGENCY MAY DENY OR TERMINATE ASSISTANCE UNDER THE STATE
13 PROGRAM; AND

14 (3) THE PROCESS TO REQUEST ~~A~~ AN INFORMAL HEARING.

15 4-2916.

16 THE DEPARTMENT OR A PUBLIC HOUSING AGENCY SHALL RECERTIFY A
17 FAMILY FOR CONTINUED ADMISSION UNDER THE STATE PROGRAM, IN
18 ACCORDANCE WITH FEDERAL GUIDELINES UNDER THE FEDERAL HOUSING CHOICE
19 VOUCHER PROGRAM.

20 4-2917.

21 ~~(A)~~ IF THE HEAD OF HOUSEHOLD WHO WAS RECEIVING ASSISTANCE UNDER
22 THE STATE PROGRAM DIES, A SURVIVING FAMILY MEMBER MAY CONTINUE TO
23 RECEIVE THE ASSISTANCE IF THE HOUSEHOLD IS SOLELY OCCUPIED BY REMAINING
24 FAMILY MEMBERS IN ACCORDANCE WITH THIS SUBTITLE.

25 ~~(B) (1) IF AN ELDERLY FAMILY MEMBER WHO WAS RECEIVING~~
26 ~~ASSISTANCE UNDER THE STATE PROGRAM DIES:~~

27 ~~(1) A REMAINING ELDERLY INDIVIDUAL IN THE UNIT SHALL~~
28 ~~RECEIVE THE ASSISTANCE; OR~~

1 ~~(H) HOUSING ASSISTANCE PAYMENTS SHALL TERMINATE.~~

2 ~~(2) IF AN ELDERLY FAMILY MEMBER WHO WAS RECEIVING~~
3 ~~ASSISTANCE UNDER THE STATE PROGRAM MOVES TO A FEDERALLY ASSISTED~~
4 ~~LONG TERM CARE FACILITY, THE HOUSING ASSISTANCE PAYMENTS SHALL~~
5 ~~TERMINATE.~~

6 4-2918.

7 ANY GUIDELINES ON THE TERMINATION OF ASSISTANCE OR ON EVICTIONS
8 ESTABLISHED BY THE DEPARTMENT OR A PUBLIC HOUSING AGENCY UNDER THIS
9 SUBTITLE SHALL BE AT LEAST AS PROTECTIVE OF TENANTS' RIGHTS AS GUIDELINES
10 ESTABLISHED UNDER THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM.

11 4-2919.

12 (A) (1) FOR FISCAL YEARS 2025, 2026, AND 2027, THE GOVERNOR SHALL
13 INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$15,000,000~~
14 \$10,000,000 TO THE DEPARTMENT FOR THE STATE PROGRAM.

15 (2) FOR FISCAL YEAR 2028 AND EACH FISCAL YEAR THEREAFTER,
16 THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION
17 SUFFICIENT TO FUND AT LEAST THE SAME NUMBER OF VOUCHERS ISSUED IN THE
18 PRIOR FISCAL YEAR.

19 (B) OF THE AMOUNT SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION,
20 THE DEPARTMENT SHALL DISTRIBUTE ~~1%~~ 6% EACH YEAR TO PUBLIC HOUSING
21 AGENCIES TO HELP DEFRAY STAFFING EXPENSES RELATED TO THE
22 ADMINISTRATION OF THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM AND
23 THE STATE PROGRAM.

24 (C) THE DEPARTMENT SHALL DEVELOP A FORMULA FOR DISTRIBUTING
25 STATE PROGRAM FUNDS TO THE DEPARTMENT AND EACH PUBLIC HOUSING
26 AGENCY.

27 4-2920.

28 ON OR BEFORE DECEMBER 30, 2024, AND EACH YEAR THEREAFTER, THE
29 DEPARTMENT AND EACH POLITICAL SUBDIVISION THAT HAS A PUBLIC HOUSING
30 AGENCY SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257
31 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

32 (1) THE NUMBER OF FAMILIES RECEIVING ASSISTANCE UNDER THE
33 STATE PROGRAM;

1 (2) COMPLIANCE WITH INCOME ELIGIBILITY REQUIREMENTS UNDER
2 THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM;

3 (3) THE TOTAL AMOUNT OF FUNDS RECEIVED;

4 (4) THE NUMBER OF HOUSEHOLDS TERMINATED FROM THE STATE
5 PROGRAM;

6 (5) THE INCOMES OF FAMILIES RECEIVING ASSISTANCE UNDER THE
7 STATE PROGRAM;

8 (6) THE GEOGRAPHIC LOCATIONS WHERE FAMILIES RECEIVING
9 ASSISTANCE UNDER THE STATE PROGRAM HAVE BEEN HOUSED;

10 (7) THE RACE AND GENDER OF INDIVIDUALS IN FAMILIES RECEIVING
11 ASSISTANCE UNDER THE STATE PROGRAM;

12 (8) THE HOUSEHOLD SIZE FOR FAMILIES RECEIVING ASSISTANCE
13 UNDER THE STATE PROGRAM;

14 (9) THE NUMBER OF FAMILIES RECEIVING ASSISTANCE UNDER THE
15 STATE PROGRAM, BASED ON THE PREFERENCES LISTED IN § ~~4-2905(B)~~ 4-2906 OF
16 THIS SUBTITLE;

17 (10) THE LENGTH OF TIME THAT EACH FAMILY HAS RECEIVED
18 ASSISTANCE UNDER THE STATE PROGRAM;

19 (11) THE AVERAGE LENGTH OF TIME FROM APPLICATION INTO THE
20 STATE PROGRAM AND RECEIPT OF HOUSING ASSISTANCE PAYMENTS;

21 (12) ANY REFERRALS MADE FOR FAMILIES UNDER THE STATE
22 PROGRAM FOR WRAPAROUND SERVICES, INCLUDING JOB TRAINING; ~~AND~~

23 (13) ANY RESOURCES USED TO ADVERTISE THE STATE PROGRAM;

24 (14) THE DISABILITY STATUS OF HOUSEHOLDS SERVED; AND

25 (15) THE NUMBER OF HOUSEHOLDS IN WHICH STATE PROGRAM
26 ASSISTANCE ENDED WITHOUT THE HOUSEHOLDS HAVING RECEIVED FEDERAL
27 HOUSING CHOICE VOUCHERS.

28 4-2921.

1 **THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.