

HOUSE BILL 80

R2, Q8

(PRE-FILED)

5lR0208
CF SB 190

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Transportation)**

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2025

CHAPTER _____

1 AN ACT concerning

2 **Land Use – Transit-Oriented Development – Alterations**

3 FOR the purpose of altering the authority of local legislative bodies to regulate land use
4 planning on certain land that is located within a certain radius of, or, under certain
5 circumstances, ~~adjacent~~ contiguous to, certain transit stations; ~~exempting certain~~
6 ~~special taxes for the benefit of transit-oriented development from any county tax~~
7 ~~limitation or bond cap; exempting transit-oriented development from certain~~
8 ~~provisions of State procurement law, subject to certain exceptions; authorizing the~~
9 ~~deposit of certain bond proceeds into the Transit-Oriented Development Capital~~
10 ~~Grant and Revolving Loan Fund; repealing a certain geographical limitation on the~~
11 ~~use of certain money in the Transit-Oriented Development Capital Grant and~~
12 ~~Revolving Loan Fund; altering the authorized uses of the Transit-Oriented~~
13 ~~Development Capital Grant and Revolving Loan Fund to include certain planning~~
14 ~~and financing costs; authorizing the Maryland Department of Transportation to~~
15 ~~establish transit-oriented development (TOD) corridor funds financed by revenue~~
16 ~~from county special taxing districts to benefit transit-oriented development adding~~
17 ~~the use of project labor agreements as a scoring preference for projects financed by~~
18 ~~the Transit-Oriented Development Capital Grant and Revolving Loan Fund; and~~
19 generally relating to transit-oriented development.

20 BY repealing and reenacting, without amendments,

21 Article – Land Use

22 Section 1–101(a) and (g) and 7–501(a) and (i)

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 Annotated Code of Maryland
2 (2012 Volume and 2024 Supplement)
- 3 BY repealing and reenacting, with amendments,
4 Article – Land Use
5 Section ~~4–104~~ 1–401(b), ~~4–104~~, and ~~10–103(b)~~
6 Annotated Code of Maryland
7 (2012 Volume and 2024 Supplement)
- 8 ~~BY repealing and reenacting, without amendments,
9 Article – Local Government
10 Section ~~21–508(a)(4)~~ and ~~(5)~~
11 Annotated Code of Maryland
12 (~~2013 Volume and 2024 Supplement~~)~~
- 13 ~~BY repealing and reenacting, with amendments,
14 Article – Local Government
15 Section ~~21–508(e)~~
16 Annotated Code of Maryland
17 (~~2013 Volume and 2024 Supplement~~)~~
- 18 BY adding to
19 Article – State Finance and Procurement
20 Section 11–203(l)
21 Annotated Code of Maryland
22 (2021 Replacement Volume and 2024 Supplement)
- 23 ~~BY repealing and reenacting, without amendments,
24 Article – Transportation
25 Section ~~7–101(a)~~ and ~~(p)~~
26 Annotated Code of Maryland
27 (~~2020 Replacement Volume and 2024 Supplement~~)
28 (~~As enacted by Chapter 512 of the Acts of the General Assembly of 2023~~)~~
- 29 ~~BY repealing and reenacting, without amendments,
30 Article – Transportation
31 Section ~~7–1201(a)~~ and ~~(e)~~
32 Annotated Code of Maryland
33 (~~2020 Replacement Volume and 2024 Supplement~~)~~
- 34 BY repealing and reenacting, with amendments,
35 Article – Transportation
36 Section ~~7–1203(e)~~ and ~~7–1204(a)~~ 7–1204(b)(2)
37 Annotated Code of Maryland
38 (2020 Replacement Volume and 2024 Supplement)
- 39 ~~BY adding to~~

~~Article – Transportation~~
~~Section 7-1301 and 7-1302 to be under the new subtitle “Subtitle 13. TOD Corridor~~
~~Funds”~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2024 Supplement)~~

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

Article – Land Use

1–101.

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

(g) (1) “Legislative body” means the elected body of a local jurisdiction.

(2) “Legislative body” includes:

(i) the board of county commissioners;

(ii) the county council; and

(iii) the governing body of a municipal corporation.

1–401.

(b) The following provisions of this division apply to a charter county:

(1) this subtitle, including Parts II and III (Charter county – Comprehensive plans);

(2) § 1–101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”, and “Sensitive area”);

(3) § 1–201 (Visions);

(4) § 1–206 (Required education);

(5) § 1–207 (Annual report – In general);

(6) § 1–208 (Annual report – Measures and indicators);

(7) Title 1, Subtitle 3 (Consistency);

(8) Title 1, Subtitle 5 (Growth Tiers);

1 (9) § 4-104(c) (Limitations – [Bicycle parking] **PARKING**);

2 (10) § 4-104(d) (Limitations – Manufactured homes and modular dwellings);

3 (11) § 4-104(E) (LIMITATIONS – MIXED-USE DEVELOPMENT);

4 (12) § 4-104(F) (LIMITATIONS – STATE-OWNED LAND FOR
5 TRANSPORTATION USE);

6 (13) § 4-104(H) (PRIORITY – TRANSIT-ORIENTED DEVELOPMENT);

7 [(11)] (14) § 4-208 (Exceptions – Maryland Accessibility Code);

8 [(12)] (15) § 4-210 (Permits and variances – Solar panels);

9 [(13)] (16) § 4-211 (Change in zoning classification – Energy generating
10 systems);

11 [(14)] (17) § 4-212 (Agritourism);

12 [(15)] (18) § 4-213 (Alcohol production);

13 [(16)] (19) § 4-214 (Agricultural alcohol production);

14 [(17)] (20) § 4-215 (Pollinator-friendly vegetation management);

15 [(18)] (21) § 5-102(d) (Subdivision regulations – Burial sites);

16 [(19)] (22) § 5-104 (Major subdivision – Review);

17 [(20)] (23) Title 7, Subtitle 1 (Development Mechanisms);

18 [(21)] (24) Title 7, Subtitle 2 (Transfer of Development Rights);

19 [(22)] (25) except in Montgomery County or Prince George’s County, Title
20 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

21 [(23)] (26) Title 7, Subtitle 4 (Inclusionary Zoning);

22 [(24)] (27) Title 7, Subtitle 5 (Housing Expansion and Affordability);

23 [(25)] (28) § 8-401 (Conversion of overhead facilities);

24 [(26)] (29) for Baltimore County only, Title 9, Subtitle 3 (Single-County
25 Provisions – Baltimore County);

1 [(27)] (30) for Frederick County only, Title 9, Subtitle 10 (Single-County
 2 Provisions – Frederick County);

3 [(28)] (31) for Howard County only, Title 9, Subtitle 13 (Single-County
 4 Provisions – Howard County);

5 [(29)] (32) for Talbot County only, Title 9, Subtitle 18 (Single-County
 6 Provisions – Talbot County); and

7 [(30)] (33) Title 11, Subtitle 2 (Civil Penalty).

8 4–104.

9 ~~(a) In this section, “modular dwelling” means a building assembly or system of~~

10 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
 11 **INDICATED.**

12 **(2) “MIXED-USE” HAS THE MEANING STATED IN § 7-501 OF THIS**
 13 **ARTICLE.**

14 **(3) “MODULAR DWELLING” MEANS A BUILDING ASSEMBLY OR**
 15 **SYSTEM OF** building subassemblies designed for habitation as a dwelling for one or more
 16 individuals:

17 ~~(1)~~ **(I)** that includes the necessary electrical, plumbing, heating,
 18 ventilating, and other service systems;

19 ~~(2)~~ **(II)** that is made or assembled by a manufacturer on or off the
 20 building site for installation, or assembly and installation, on the building site; and

21 ~~(3)~~ **(III)** installed and set up according to the manufacturer’s instructions
 22 on an approved foundation and support system.

23 (b) The powers granted to a local jurisdiction under this subtitle do not:

24 (1) grant the local jurisdiction powers in any substantive area not
 25 otherwise granted to the local jurisdiction by any other public general or public local law;

26 (2) restrict the local jurisdiction from exercising any power granted to the
 27 local jurisdiction by any other public general or public local law or otherwise;

28 (3) authorize the local jurisdiction or its officers to engage in any activity
 29 that is beyond their power under any other public general or public local law or otherwise;
 30 or

1 (4) preempt or supersede the regulatory authority of any unit of the State
2 under any public general law.

3 (c) (1) (I) If a legislative body regulates off-street parking, the legislative
4 body shall require space for the parking of bicycles in a manner that the legislative body
5 considers appropriate.

6 [(2)] (II) A legislative body may allow a reduction in the number of
7 required automobile parking spaces based on the availability of space for parking bicycles.

8 (2) A LEGISLATIVE BODY OR OTHER LOCAL AGENCY WITH LAND USE
9 AUTHORITY MAY NOT IMPOSE A MINIMUM OFF-STREET PARKING REQUIREMENT ON
10 A RESIDENTIAL OR MIXED-USE DEVELOPMENT THAT IS LOCATED WITHIN ~~0.5~~ 0.25
11 MILES OF A RAIL TRANSIT STATION THAT RECEIVES AT LEAST HOURLY SERVICE ON
12 AVERAGE FROM 8:00 A.M. UNTIL 6:00 P.M. MONDAY THROUGH FRIDAY.

13 (d) A legislative body may not prohibit the placement of a new manufactured
14 home or modular dwelling in a zone that allows single-family residential uses if the home
15 or dwelling:

16 (1) (i) meets the definition of modular dwelling under subsection (a) of
17 this section; or

18 (ii) meets the definition of a manufactured home in § 9-102(a) of the
19 Commercial Law Article and is, or will be after purchase, converted to real property in
20 accordance with Title 8B, Subtitle 2 of the Real Property Article; or

21 (2) is located on land:

22 (i) currently or previously owned by the federal government;

23 (ii) greater than 80 acres in size; and

24 (iii) that was the site of a former U.S. military reservation.

25 (E) ~~A LEGISLATIVE BODY MAY NOT TAKE AN ACTION TO PRECLUDE~~
26 ~~MIXED-USE DEVELOPMENT THAT IS LOCATED WITHIN 0.5 MILES OF A RAIL TRANSIT~~
27 ~~STATION~~ A LOCAL JURISDICTION'S ZONING REGULATIONS SHALL ALLOW
28 MIXED-USE DEVELOPMENT ON LAND DESIGNATED FOR RESIDENTIAL USE OR
29 APPROPRIATE COMMERCIAL USE FOR MIXED-USE DEVELOPMENT WITHIN 0.5 MILES
30 OF A RAIL TRANSIT STATION THAT RECEIVES AT LEAST HOURLY SERVICE ON
31 AVERAGE FROM 8:00 A.M. UNTIL 6:00 P.M. MONDAY THROUGH FRIDAY.

32 (F) FOR STATE-OWNED LAND IN USE FOR A TRANSPORTATION PURPOSE
33 ADJACENT CONTIGUOUS TO A RAIL TRANSIT STATION THAT RECEIVES AT LEAST
34 HOURLY SERVICE ON AVERAGE FROM 8:00 A.M. UNTIL 6:00 P.M. MONDAY THROUGH

1 FRIDAY, A LEGISLATIVE BODY OR OTHER LOCAL AGENCY WITH LAND USE
 2 AUTHORITY MAY NOT IMPOSE LOCAL ZONING RESTRICTIONS IF THE LAND IS
 3 SUBJECT TO A TRANSIT-ORIENTED DEVELOPMENT PLAN APPROVED BY THE
 4 DEPARTMENT OF TRANSPORTATION LIMITATIONS OR RESTRICTIONS ON LAND USE
 5 CLASSIFICATION, HEIGHT, OR SETBACK, OR ANY SIMILAR REQUIREMENTS IF THE
 6 LAND IS SUBJECT TO A TRANSIT-ORIENTED DEVELOPMENT PLAN APPROVED BY THE
 7 DEPARTMENT OF TRANSPORTATION AND DEVELOPED IN COORDINATION WITH THE
 8 LOCAL JURISDICTION.

9 (G) SUBSECTIONS (E) AND (F) OF THIS SECTION MAY NOT BE CONSTRUED TO
 10 ALTER THE LAND USE AUTHORITY OF A LOCAL JURISDICTION GOVERNING:

11 (1) ENVIRONMENTAL OR NATURAL RESOURCES CONCERNS;

12 (2) PUBLIC HEALTH AND SAFETY CONSIDERATIONS; OR

13 (3) ADEQUATE PUBLIC FACILITIES ORDINANCES.

14 (H) (1) A LEGISLATIVE BODY OR OTHER LOCAL AGENCY WITH LAND USE
 15 AUTHORITY SHALL PRIORITIZE THE PROCESSING AND APPROVAL OF ANY SITE PLAN
 16 OR PERMIT FOR A DESIGNATED TRANSIT-ORIENTED DEVELOPMENT AS DESCRIBED
 17 IN TITLE 7, SUBTITLE 1 OF THE TRANSPORTATION ARTICLE.

18 (2) (I) EXCEPT AS OTHERWISE REQUIRED BY STATE LAW, A LOCAL
 19 GOVERNMENT MAY NOT REQUIRE THAT A PROJECT UNDER SUBSECTION (E) OR (F)
 20 OF THIS SECTION BE REVIEWED AT MORE THAN TWO PUBLIC HEARINGS BEFORE
 21 EACH OF THE FOLLOWING:

22 1. THE LOCAL GOVERNING BODY; AND

23 2. THE PLANNING COMMISSION.

24 (II) EXCEPT AS OTHERWISE REQUIRED BY STATE LAW, A LOCAL
 25 GOVERNMENT MAY NOT REQUIRE THAT A PROJECT UNDER SUBSECTION (E) OR (F)
 26 OF THIS SECTION BE REVIEWED AT MORE THAN ONE PUBLIC HEARING BEFORE EACH
 27 OF THE FOLLOWING:

28 1. A HISTORIC DISTRICT COMMISSION OR HISTORIC
 29 PRESERVATION COMMISSION; AND

30 2. THE BOARD OF APPEALS.

31 7-501.

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

2 (i) (1) “Mixed–use” means any combination of a residential use with a
 3 recreational, office, dining, or retail use.

4 (2) “Mixed–use” does not mean any combination of a residential use with
 5 an industrial or hazardous use.

6 10–103.

7 (b) The following provisions of this division apply to Baltimore City:

8 (1) this title;

9 (2) § 1–101(m) (Definitions – “Priority funding area”);

10 (3) § 1–101(o) (Definitions – “Sensitive area”);

11 (4) § 1–201 (Visions);

12 (5) § 1–206 (Required education);

13 (6) § 1–207 (Annual report – In general);

14 (7) § 1–208 (Annual report – Measures and indicators);

15 (8) Title 1, Subtitle 3 (Consistency);

16 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties –
 17 Comprehensive Plans; Implementation);

18 (10) § 4–104(c) (Limitations – [Bicycle parking] **PARKING**);

19 (11) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

20 **(12) § 4–104(E) (LIMITATIONS – MIXED–USE DEVELOPMENT);**

21 **(13) § 4–104(F) (LIMITATIONS – STATE–OWNED LAND FOR**
 22 **TRANSPORTATION USE);**

23 **(14) § 4–104(H) (PRIORITY – TRANSIT–ORIENTED DEVELOPMENT);**

24 ~~[(12)]~~ **(15) § 4–205 (Administrative adjustments);**

25 ~~[(13)]~~ **(16) § 4–207 (Exceptions – Maryland Accessibility Code);**

- 1 ~~[(14)]~~ **(17)** § 4-210 (Permits and variances – Solar panels);
- 2 ~~[(15)]~~ **(18)** § 4-211 (Change in zoning classification – Energy generating
3 systems);
- 4 ~~[(16)]~~ **(19)** § 4-215 (Pollinator-friendly vegetation management);
- 5 ~~[(17)]~~ **(20)** § 5-102(d) (Subdivision regulations – Burial sites);
- 6 ~~[(18)]~~ **(21)** Title 7, Subtitle 1 (Development Mechanisms);
- 7 ~~[(19)]~~ **(22)** Title 7, Subtitle 2 (Transfer of Development Rights);
- 8 ~~[(20)]~~ **(23)** Title 7, Subtitle 3 (Development Rights and Responsibilities
9 Agreements);
- 10 ~~[(21)]~~ **(24)** Title 7, Subtitle 4 (Inclusionary Zoning);
- 11 ~~[(22)]~~ **(25)** Title 7, Subtitle 5 (Housing Expansion and Affordability); and
- 12 ~~[(23)]~~ **(26)** Title 11, Subtitle 2 (Civil Penalty).

~~Article – Local Government~~

14 ~~21-508.~~

15 ~~(a) The governing body of a county may provide for the imposition of an ad~~
16 ~~valorem or special tax on all real and personal property in a special taxing district at a rate~~
17 ~~or amount designed to provide adequate revenue;~~

18 ~~(4) to pay costs of infrastructure improvements located in or supporting a~~
19 ~~transit-oriented development or a State hospital redevelopment;~~

20 ~~(5) to pay costs of operating and maintaining infrastructure improvements~~
21 ~~located in or supporting a transit-oriented development or a State hospital redevelopment;~~
22 ~~or~~

23 ~~(e) (1) As an alternative to imposing ad valorem taxes under this subtitle, the~~
24 ~~governing body of a county may impose special taxes in accordance with this subsection on~~
25 ~~property in a special taxing district.~~

26 ~~(2) In determining the basis for and amount of a special tax, the cost of an~~
27 ~~improvement may be calculated and imposed:~~

28 ~~(i) equally per front foot, lot, parcel, dwelling unit, or square foot;~~

1 ~~(ii) according to the value of the property, with or without regard to~~
 2 ~~improvements on the property; or~~

3 ~~(iii) in any other reasonable manner that results in a fair allocation~~
 4 ~~of the cost of the infrastructure improvements.~~

5 ~~(3) The governing body of a county may enact an ordinance or a resolution~~
 6 ~~for:~~

7 ~~(i) the maximum amount of a special tax to be imposed on any~~
 8 ~~parcel;~~

9 ~~(ii) the tax year or other date after which further special taxes under~~
 10 ~~this subtitle may not be imposed on a parcel; and~~

11 ~~(iii) whether, and the circumstances under which, a special tax on a~~
 12 ~~parcel may be increased because of delinquency or default by the owner of that parcel or by~~
 13 ~~the owner of any other parcel.~~

14 ~~(4) By ordinance or resolution, the governing body of a county may~~
 15 ~~establish procedures allowing for the prepayment of special taxes under this subtitle.~~

16 ~~(5) A special tax imposed under this subtitle shall:~~

17 ~~(i) unless otherwise provided in an ordinance or a resolution, be~~
 18 ~~collected and secured in the same manner as general ad valorem taxes; [and]~~

19 ~~(ii) in the case of delinquency, be subject to the same penalties,~~
 20 ~~procedure, sale, and lien priority as general ad valorem taxes; AND~~

21 ~~(H) FOR A SPECIAL TAX IMPOSED FOR THE BENEFIT OF~~
 22 ~~TRANSIT-ORIENTED DEVELOPMENT, BE EXEMPT FROM ANY COUNTY TAX~~
 23 ~~LIMITATION OR BOND CAP.~~

24 ~~(6) THE REVENUES GENERATED BY A SPECIAL TAX IMPOSED FOR THE~~
 25 ~~BENEFIT OF TRANSIT-ORIENTED DEVELOPMENT BY A COUNTY UNDER PARAGRAPH~~
 26 ~~(4) OR (5) OF THIS SUBSECTION MAY BE DISTRIBUTED TO A TOD CORRIDOR FUND~~
 27 ~~ESTABLISHED UNDER § 7-1302 OF THE TRANSPORTATION ARTICLE.~~

28 Article – State Finance and Procurement

29 11-203.

30 (L) (1) THIS DIVISION II DOES NOT APPLY TO A TRANSIT-ORIENTED
 31 DEVELOPMENT UNDER TITLE 7 OF THE TRANSPORTATION ARTICLE.

1 **(2) TO THE EXTENT OTHERWISE REQUIRED BY LAW, THE FOLLOWING**
 2 **PROVISIONS OF THIS DIVISION APPLY TO A TRANSIT-ORIENTED DEVELOPMENT**
 3 **UNDER TITLE 7 OF THE TRANSPORTATION ARTICLE:**

4 **(I) § 11-205 OF THIS SUBTITLE (“COLLUSION”);**

5 **(II) § 11-205.1 OF THIS SUBTITLE (“FALSIFICATION,**
 6 **CONCEALMENT, ETC., OF MATERIAL FACTS”);**

7 **(III) TITLE 12, SUBTITLE 4 OF THIS ARTICLE (“POLICIES AND**
 8 **PROCEDURES FOR EXEMPT UNITS”);**

9 **(IV) § 13-219 OF THIS ARTICLE (“REQUIRED CLAUSES –**
 10 **NONDISCRIMINATION CLAUSE”);**

11 **(V) TITLE 14, SUBTITLE 3 OF THIS ARTICLE (“MINORITY**
 12 **BUSINESS PARTICIPATION”), TO THE EXTENT PRACTICABLE AND PERMITTED BY**
 13 **THE UNITED STATES CONSTITUTION;**

14 **(VI) § 15-113 OF THIS ARTICLE (“LIQUIDATED DAMAGES**
 15 **POLICIES AND REPORTING”);**

16 **(VII) TITLE 17, SUBTITLE 1 OF THIS ARTICLE (“SECURITY FOR**
 17 **CONSTRUCTION CONTRACTS”);**

18 **(VIII) TITLE 17, SUBTITLE 2 OF THIS ARTICLE (“PREVAILING**
 19 **WAGE RATES – PUBLIC WORK CONTRACTS”); AND**

20 **(IX) TITLE 18 OF THIS ARTICLE (“LIVING WAGE”).**

21 **Article – Transportation**

22 **7-1204.**

23 **(b) (2) The Smart Growth Subcabinet established under § 9-1406 of the State**
 24 **Government Article may establish:**

25 **(i) Different eligibility requirements and objective scoring**
 26 **standards for different types of financial assistance; and**

27 **(ii) Scoring preferences for applications that demonstrate that the**
 28 **proposed project will:**

29 **1. Enhance access to transit for low-income and minority**
 30 **residents of the local jurisdiction;**

1 2. Enhance access to transit in areas with affordable housing
 2 and a diversity of job and educational opportunities; [or]

3 3. Encourage development around underdeveloped and
 4 underutilized transit stations in transit-oriented developments; OR

5 4. USE PROJECT LABOR AGREEMENTS TO PROMOTE
 6 PROJECT EFFICIENCY, COST CONTROL, ENHANCED WORKER SAFETY, A SKILLED
 7 WORKFORCE, AND LABOR HARMONY.

8 ~~Article — Transportation~~

9 ~~7-101.~~

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

11 (p) ~~“Transit-oriented development” means a mix of private or public parking~~
 12 ~~facilities, commercial and residential structures, and uses, improvements, and facilities~~
 13 ~~customarily appurtenant to such facilities and uses, that:~~

14 (1) ~~Is part of a deliberate development plan or strategy involving:~~

15 (i) ~~Property that is adjacent to the passenger boarding and alighting~~
 16 ~~location of a planned or existing transit station;~~

17 (ii) ~~Property, any part of which is located within one-half mile of the~~
 18 ~~passenger boarding and alighting location of a planned or existing transit station; or~~

19 (iii) ~~Property that is adjacent to a planned or existing transit corridor;~~

20 (2) ~~Is planned to maximize the use of transit, walking, and bicycling by~~
 21 ~~residents and employees; and~~

22 (3) ~~Is designated as a transit-oriented development by:~~

23 (i) ~~The Smart Growth Subcabinet established under § 9-1406 of the~~
 24 ~~State Government Article; and~~

25 (ii) ~~The local government or multicounty agency with land use and~~
 26 ~~planning responsibility for the relevant area applying for designation.~~

27 ~~7-1201.~~

28 (a) ~~In this subtitle the following words have the meanings indicated.~~

1 ~~(e) "Fund" means the Transit Oriented Development Capital Grant and~~
 2 ~~Revolving Loan Fund.~~

3 ~~7-1203.~~

4 ~~(e) (1) The Fund consists of:~~

5 ~~(i) Money appropriated in the State budget to the Fund;~~

6 ~~(ii) Money made available for qualifying uses by the Fund from other~~
 7 ~~governmental sources, including eligible federal funding and the Transportation Trust~~
 8 ~~Fund;~~

9 ~~(iii) Ground rents or land sale proceeds in accordance with §~~
 10 ~~10-306(e)(2) of the State Finance and Procurement Article;~~

11 ~~(iv) Payments of principal of and interest on loans made under this~~
 12 ~~title;~~

13 ~~(v) Investment earnings of the Fund; [and]~~

14 ~~(vi) PROCEEDS FROM BONDS ISSUED BY THE DEPARTMENT~~
 15 ~~UNDER THIS TITLE; AND~~

16 ~~(VII) Any other money from any other source, public or private,~~
 17 ~~accepted for the benefit of the Fund.~~

18 ~~(2) Contributions to the Fund under paragraph (1)(iii) of this subsection~~
 19 ~~shall[;]~~

20 ~~(i) Be] BE separately accounted for in the Fund[; and~~

21 ~~(ii) Be used only for the benefit of transit oriented developments in~~
 22 ~~the same county where the real property subject to the ground rent or land sale is located].~~

23 ~~7-1204.~~

24 ~~(a) (1) The Fund may be used by the Department to provide financial~~
 25 ~~assistance to local jurisdictions for:~~

26 ~~(i) PLANNING EFFORTS FOR A SITE ADJACENT TO TRANSIT~~
 27 ~~THAT IS NOT DESIGNATED AS A TRANSIT ORIENTED DEVELOPMENT TO PREPARE~~
 28 ~~THAT SITE FOR SUCH DESIGNATION;~~

~~(H) Design plans for a transit-oriented development, provided that the transit-oriented development will be designed to meet equity goals established by the Department;~~

~~[(ii)](III) Public infrastructure improvements within a transit-oriented development; or~~

~~[(iii)](IV) Gap funding AND FINANCING for COSTS ASSOCIATED WITH public or private development within a transit-oriented development.~~

~~(2) A private entity, including a nonprofit entity, participating in the development of a transit-oriented development may partner with a local jurisdiction to submit an application for financial assistance under paragraph [(1)(iii)] (1)(IV) of this subsection.~~

~~SUBTITLE 13. TOD CORRIDOR FUNDS.~~

~~7-1301.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(B) "COUNTY SPECIAL TAXING DISTRICT" MEANS A TAXING DISTRICT ESTABLISHED BY THE GOVERNING BODY OF A COUNTY UNDER TITLE 21, SUBTITLE 5 OF THE LOCAL GOVERNMENT ARTICLE.~~

~~(C) "TOD CORRIDOR FUND" MEANS A FUND ESTABLISHED AND ADMINISTERED BY THE DEPARTMENT TO SUPPORT TRANSIT-ORIENTED DEVELOPMENT ADJACENT TO A PLANNED OR EXISTING TRANSIT CORRIDOR.~~

~~7-1302.~~

~~(A) THE DEPARTMENT MAY ESTABLISH TOD CORRIDOR FUNDS TO COLLECT REVENUES FROM COUNTY SPECIAL TAXING DISTRICTS ESTABLISHED TO BENEFIT TRANSIT-ORIENTED DEVELOPMENT.~~

~~(B) A TOD CORRIDOR FUND MAY BE USED WITHIN APPLICABLE SPECIAL TAXING DISTRICTS TO:~~

~~(1) SUPPORT THE ISSUANCE OF BONDS FOR TRANSIT-ORIENTED DEVELOPMENT-RELATED ACTIVITIES;~~

~~(2) PROVIDE A DEDICATED SOURCE OF REVENUES TO REPAY FEDERAL LOANS FOR TRANSIT-ORIENTED DEVELOPMENT; AND~~

1 ~~(3) SUPPORT OTHER FINANCING ACTIVITIES FOR THE BENEFIT OF~~
2 ~~TRANSIT-ORIENTED DEVELOPMENT.~~

3 SECTION 2. AND BE IT FURTHER ENACTED, That § 4–104(e) of the Land Use
4 Article, as enacted by Section 1 of this Act, shall apply only to land use rezonings or actions
5 taken by a legislative body on or after the effective date of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.