

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

Drafted by: Lodge  
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Stored – 11/08/19  
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By: **Delegates Atterbeary and Terrasa**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Moderate Income Housing Unit Requirements – Prohibition**  
3 **Against Fee-in-Lieu**

4 **Ho. Co. 11-20**

5 FOR the purpose of prohibiting Howard County from authorizing payment of a fee-in-lieu  
6 of a requirement under local law that a developer provide moderate income housing  
7 units in a new residential development project under certain circumstances; and  
8 generally relating to moderate income housing unit requirements in Howard County.

9 BY adding to  
10 Article – Local Government  
11 Section 16-117  
12 Annotated Code of Maryland  
13 (2013 Volume and 2019 Supplement)

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

16 **Article – Local Government**

17 **16-117.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **HOWARD COUNTY MAY NOT AUTHORIZE PAYMENT OF A FEE-IN-LIEU OF A**  
2 **REQUIREMENT UNDER LOCAL LAW THAT A DEVELOPER PROVIDE MODERATE**  
3 **INCOME HOUSING UNITS IN A NEW RESIDENTIAL DEVELOPMENT PROJECT IF:**

4                   **(1) THE REVENUE COLLECTED FROM THE FEE-IN-LIEU:**

5                           **(I) IS REQUIRED TO BE USED FOR HOUSING LOANS OR HOUSING**  
6 **PROGRAMS IN THE COUNTY;**

7                           **(II) DOES NOT DEFRAY THE EXPENSES OF THE COUNTY'S**  
8 **REGULATORY PROCESS FOR APPROVING NEW RESIDENTIAL DEVELOPMENT; AND**

9                           **(III) DOES NOT OFFSET THE IMPACTS ON PERSONS AFFECTED BY**  
10 **THE PARTICULAR RESIDENTIAL DEVELOPMENT PROJECT; AND**

11                   **(2) NO OTHER CONDITIONS ARE PLACED ON THE DEVELOPER IN**  
12 **RELATION TO THE PARTICULAR RESIDENTIAL DEVELOPMENT PROJECT.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2020.