

HOUSE BILL 1073

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EMERGENCY BILL

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By: **Delegates Taveras, Cullison, S. Johnson, Kaiser, Lehman, Pena–Melnyk, and Woods**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Homeowner Assistance Fund – Victims of Domestic Violence – Eligibility**

3 FOR the purpose of requiring the Department of Housing and Community Development to
4 establish special eligibility requirements under the Maryland Homeowner
5 Assistance Fund for victims of domestic violence under certain circumstances;
6 requiring and authorizing the Department to collect certain information from the
7 victim of domestic violence to support an application for financial assistance;
8 prohibiting the Department from issuing financial assistance under the Fund to
9 victims of domestic violence under certain circumstances; and generally relating to
10 the administration of the Maryland Homeowner Assistance Fund.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That:

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

14 (2) “American Rescue Plan Act” means the federal American Rescue Plan
15 Act of 2021.

16 (3) “Department” means the Department of Housing and Community
17 Development.

18 (4) “Financial assistance” means a grant or loan.

19 (5) “Fund” means the Maryland Homeowner Assistance Fund operated by
20 the Department.

21 (6) “Victim of domestic violence” has the meaning stated in § 4–513 of the
22 Family Law Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (i) On or before December 1, 2023, the Department shall establish
2 eligibility requirements for financial assistance from the Fund applicable to victims of
3 domestic violence.

4 (ii) The eligibility requirements established under subparagraph (i)
5 of this paragraph shall apply if the current or former spouse or cohabitant of the victim of
6 domestic violence refuses or is unwilling to participate in a standard application for
7 financial assistance from the Fund.

8 (2) The Department shall require evidence that a victim of domestic
9 violence is listed on the deed to the property for which the victim of domestic violence seeks
10 financial assistance from the Fund.

11 (3) The Department may require a victim of domestic violence to submit
12 some or all of the following information and documents as evidence of eligibility for financial
13 assistance from the Fund:

14 (i) information known to the victim of domestic violence regarding
15 the financial resources of the current or former spouse or cohabitant;

16 (ii) a temporary protective order issued under § 4–505 of the Family
17 Law Article; and

18 (iii) a final protective order issued under § 4–506 of the Family Law
19 Article.

20 (4) The requirements in paragraphs (2) and (3) of this subsection shall be
21 in addition to any other requirements for financial assistance from the Fund established
22 by law.

23 (5) The Department may partner with the Governor’s Office of Crime
24 Prevention, Youth, and Victim Services to develop the eligibility requirements required by
25 this subsection.

26 (c) (1) This section may not be construed to authorize the Department to
27 establish eligibility requirements that are inconsistent with the American Rescue Plan Act.

28 (2) The Department, in exercising its duties under this section, may not
29 issue financial assistance to an applicant from the Fund if issuing the financial assistance
30 will result in a reduction or repayment of federal funds authorized under the American
31 Rescue Plan Act.

32 (3) The Department shall seek confirmation from the federal government
33 on whether the proposed eligibility requirements are consistent with the administration of
34 funds by an eligible entity under the American Rescue Plan Act.

35 SECTION 2. AND BE IT FURTHER ENACTED, That, if any provision of this Act or

1 the application thereof to any person or circumstance is held invalid for any reason in a
2 court of competent jurisdiction, the invalidity does not affect other provisions or any other
3 application of this Act that can be given effect without the invalid provision or application,
4 and for this purpose the provisions of this Act are declared severable.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
6 measure, is necessary for the immediate preservation of the public health or safety, has
7 been passed by a ye and nay vote supported by three-fifths of all the members elected to
8 each of the two Houses of the General Assembly, and shall take effect from the date it is
9 enacted. It shall remain effective through June 30, 2026, and, at the end of June 30, 2026,
10 this Act, with no further action required by the General Assembly, shall be abrogated and
11 of no further force and effect.