

County Council of Howard County, Maryland

2026 Legislative Session

Legislative Day No. 4

Resolution No. 40 -2026

Introduced by: The Chairperson at the request of the County Executive

Short Title: Charter Amendment – Section 601, Fiscal year and tax year and definitions

Title: A RESOLUTION proposing to amend County Charter Section 601, Fiscal year and tax year and definitions, in order to define the term “affordable housing projects, financed in whole or in part by the Housing Opportunities Trust Fund” which will allow the County to fund the Trust Fund with bonds; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution.

Introduced and read first time on _____, 2026.

By order _____
Michelle Harrod, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2026.

By order _____
Michelle Harrod, Administrator to the County Council

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn ___ by the County Council on _____, 2026.

Certified by _____
Michelle Harrod, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Pursuant to Section 13.1600 of the Howard County Code, the Department
2 of Housing and Community Development (the “Department”) is authorized to administer the
3 Housing Opportunities Trust Fund (“Fund”) in accordance with guidelines established by House
4 Bill 878-2022; and

5
6 **WHEREAS**, the purpose of the Fund is to promote equitable access to affordable
7 housing for households of limited incomes in Howard County, through the issuance of loans,
8 grants or direct financial assistance to individuals, non-profits, or developers of affordable
9 housing; and

10
11 **WHEREAS**, authorized uses of the Fund include developing, preserving, and
12 rehabilitating affordable housing units, as well as assisting income-eligible renters and first-time
13 home buyers; and

14
15 **WHEREAS**, in any given fiscal year, a minimum of 50% of the expenditures from the
16 Fund shall benefit households with an annual income of not more than 50% of the Howard
17 County median income; and

18
19 **WHEREAS**, in addition, a minimum of 40% of those expenditures shall benefit
20 households with an annual income of not more than 30% of the Howard County median income;
21 and

22
23 **WHEREAS**, establishing the Fund was a key recommendation in the Housing
24 Opportunities Master Plan completed in April 2021; and

25
26 **WHEREAS**, the Fund has created or preserved affordable housing units for 381
27 households earning up to 80% of HC MI as of June 30, 2025; and

28
29 **WHEREAS**, according to the 2024 Howard County Rental Survey commissioned by the
30 Howard County Housing Commission and the Howard County Department of Housing and

1 Community Development, there is a shortage of at least 6,100 affordable housing units in
2 Howard County for households with incomes below \$60,000 per year; and
3

4 **WHEREAS**, in order to further the goal of providing affordable housing, an amendment
5 to the County Charter is necessary to provide that affordable housing projects are included in the
6 definition of the term “capital project” which will allow the County to pursue bond funding for
7 affordable housing construction in the County’s Capital Improvement Program (Capital budget).
8

9 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
10 Maryland, that County Charter Section 601 “Fiscal year and tax year and definitions” is, upon
11 approval of the voters of Howard County, amended to read as follows:
12

13 **Article VI. - Budgetary And Fiscal Procedures.**

14 **Section 601. Fiscal year and tax year and definitions.**

15
16 **Section 601. Fiscal year and tax year and definitions.**

17 (a) *Fiscal year and tax year:* Unless and until changed in accordance with the provisions of law,
18 the fiscal or budget year and the tax year of the County shall begin on the first day of July and
19 shall end on the thirtieth day of June of the succeeding year.

20 (b) *Definitions.*

21 (1) The term "budget" when used herein shall be used to denote that package of materials
22 consisting of the current expense budget, operating expense program, the capital budget
23 and capital program, and the budget message. It is to be distinguished from the term
24 "budget ordinance" which shall consist of the current expense budget and the capital
25 budget.

26 (2) The term "budget ordinance" when used herein shall consist of the current expense
27 budget and the capital budget.

28 (3) The term "capital budget" shall mean the plan of the County to receive and expend funds
29 for capital projects during the first fiscal year of their inclusion in the capital program and
30 shall include a narrative description of each capital project.

1 (4) The term "capital program" shall mean the plan of the County to receive and expend
2 funds for capital projects during the first fiscal year covered by the capital budget and the
3 next succeeding five fiscal years.

4 (5) The term "capital project" shall mean each of the following:

5 (i) Any physical public betterment or improvement and any preliminary studies and
6 surveys relative thereto;

7 (ii) The acquisition of property of a permanent nature for public use;

8 (iii) The purchase of equipment for any public betterment or improvement when first
9 constructed;

10 (iv) The purchase of equipment having a probable useful life exceeding three years,
11 provided that the term of any bonds issued to fund the purchase shall not exceed the
12 probable useful life of the equipment[.];

13 (V) AFFORDABLE HOUSING PROJECTS, FINANCED IN WHOLE OR IN PART BY THE HOUSING
14 OPPORTUNITIES TRUST FUND, WHETHER OR NOT OWNED OR CONSTRUCTED BY THE
15 COUNTY PROVIDED THAT:

16 A. THE TERM OF ANY BONDS ISSUED TO FUND THE CONSTRUCTION OF SUCH
17 AFFORDABLE HOUSING PROJECT SHALL NOT EXCEED THE USEFUL LIFE OF THE
18 PROJECT, AND

19 B. A DECLARATION IS RECORDED IN THE LAND RECORDS OF THE COUNTY,
20 DEMONSTRATING COMPLIANCE WITH SECTION 13.1600(E) OF THE HOWARD
21 COUNTY CODE FOR AT LEAST THE TERM OF THE BONDS ISSUED TO FUND THE
22 CONSTRUCTION OF SUCH AFFORDABLE HOUSING PROJECTS.

23 (6) The term "current expense budget" shall mean the plan of the County to receive and
24 expend funds for charges incurred for operation, maintenance, interest and other charges
25 for the ensuing fiscal year.

26 (7) The term "estimated surplus" shall mean the amount included as surplus revenue in the
27 current expense budget for the ensuing fiscal year.

28 (8) The term "excess surplus" shall mean the amount by which the sum of the estimated
29 surplus and the unbudgeted surplus exceeds the amount which is required to be
30 appropriated to the budget stabilization account under Section 615A of this Charter.

1 (9) The term "operating expense program" shall mean a summary projection of receipts and
2 operating expenses for the fiscal year covered by the current expense budget and the next
3 succeeding five fiscal years.

4 (10) The term "total general fund expenditures" shall mean the total of all expenditures from
5 the general fund, including operating transfers to the Board of Education, the Howard
6 Community College, and other funds, but not including the amount of any excess surplus
7 used for the restricted purposes listed in Section 615B of this Charter.

8 (11) The term "unbudgeted surplus" means the amount, determined by audit for the last
9 complete fiscal year, by which the actual general fund surplus exceeds the amount of
10 estimated surplus for that same fiscal year.

11
12 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
13 Maryland, that at the next general election to be held in Maryland, the proposed amendment to
14 the Howard County Charter shall be submitted to the voters of Howard County for their adoption
15 or rejection in accordance with the provisions of the Article X of the Howard County Charter and
16 Article XI-A of the Maryland Constitution, and if adopted by the majority of the voters, shall
17 stand adopted from and after the 30th day following the general election.

18
19 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,
20 Maryland, that this Resolution, having been approved by two-thirds of the members of the
21 Howard County Council, stands adopted this ___ day of _____, 2026 in accordance
22 with provisions of Article X of the Howard County Charter.