
By: **Senator Giannetti**

Introduced and read first time: February 6, 2004

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State-Owned Property - Leases or Licenses**

3 FOR the purpose of authorizing a unit of the State government to execute certain
4 leases or licenses where the rent is less than a certain amount; requiring the
5 highest official of each unit of State government to submit a certain report to the
6 Board of Public Works each year; and generally relating to the lease or license of
7 State-owned property.

8 BY repealing and reenacting, with amendments,
9 Article - State Finance and Procurement
10 Section 10-305(c)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

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

15 **Article - State Finance and Procurement**

16 10-305.

17 (c) (1) Whenever any unit of the State government leases any State-owned
18 property under its jurisdiction and control to any State employee, agent, or servant,
19 or to any other individual in State service, for the purpose of permitting the
20 individual to maintain a residence on or in the property, the lease shall be:

21 (i) executed by the unit; and

22 (ii) approved by the Secretary of General Services.

23 (2) The lease is not valid unless the Secretary of General Services
24 approves it.

25 (3) Whenever any unit of the State government leases any State-owned
26 property under its jurisdiction and control to any lessee, the lease shall include a

1 provision which prohibits the lessee from assigning or subleasing that property
2 without the prior approval of the Board of Public Works.

3 (4) Whenever the State Highway Administration leases any
4 State-owned property under its jurisdiction and control to any person, the
5 Administrator of the State Highway Administration may execute the lease if:

6 (i) the lease is entered into on a 30-day renewable basis; and

7 (ii) the duration of the tenancy does not exceed 1 year.

8 (5) At least twice each year, the Administrator of the State Highway
9 Administration shall submit a report of the leases executed under the authority
10 granted in paragraph (4) of this subsection to the Board of Public Works.

11 (6) (I) WHENEVER ANY UNIT OF THE STATE GOVERNMENT LEASES OR
12 LICENSES ANY STATE-OWNED PROPERTY UNDER ITS JURISDICTION AND CONTROL,
13 THE UNIT MAY EXECUTE THE LEASE OR LICENSE IF THE RENT FOR THE ENTIRE
14 TERM OF THE LEASE OR LICENSE IS LESS THAN \$200,000, NOT INCLUDING OPTIONS.

15 (II) EACH YEAR, THE HIGHEST OFFICIAL OF EACH UNIT SHALL
16 SUBMIT A REPORT OF THE LEASES AND LICENSES EXECUTED UNDER THIS
17 PARAGRAPH TO THE BOARD OF PUBLIC WORKS.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2004.