

HOUSE BILL 1284

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3lr2878

By: **Delegate Conaway**

Introduced and read first time: February 8, 2013

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Public Schools – Requirement to Demolish Closed Schools**

3 FOR the purpose of requiring the Baltimore City Board of School Commissioners to
4 demolish certain closed public school buildings in Baltimore City within a
5 certain period of time under certain circumstances; and generally relating to
6 the requirement for the Baltimore City Board of School Commissioners to
7 demolish certain closed public school buildings.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 4–115
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2012 Supplement)

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

15 **Article – Education**

16 4–115.

17 (a) In this subtitle, “county council” means, in Baltimore City, the Mayor and
18 City Council of Baltimore.

19 (b) With the approval of the State Superintendent, each county board may:

20 (1) Buy or otherwise acquire land, school sites, or buildings; and

21 (2) Rent, repair, improve, and build school buildings or approve
22 contracts for doing so, if the plans conform to the bylaws, rules, and regulations of the
23 State Board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) (i) Except as provided in this subsection, if, with the approval
2 of the State Superintendent, a county board finds that any land, school site, or
3 building no longer is needed for school purposes, it shall inform the county
4 commissioners or county council of the county board's determination under this
5 subparagraph.

6 (ii) When the county commissioners or county council receive
7 notice under subparagraph (i) of this paragraph, the county commissioners or county
8 council shall notify the county board within 30 days after receiving the notice from the
9 county board:

10 1. Of the need to transfer the land, school site, or
11 building to the county commissioners or county council if the land, school site, or
12 building is an integral component of an existing economic development plan that will,
13 in the judgment of the county commissioners or county council, significantly benefit
14 the county; or

15 2. That the county commissioners or county council have
16 no existing plans for the use of the land, school site, or building.

17 (iii) 1. If the county commissioners or county council provide
18 the required notice to the county board under subparagraph (ii)1 of this paragraph or
19 a public charter school does not need the school site or building under § 9–111 of this
20 article, the land, school site, or building shall be transferred by the county board to the
21 county commissioners or county council and may be used, sold, leased, or otherwise
22 disposed of, except by gift, by the county commissioners or county council; or

23 2. If the county commissioners or county council provide
24 the required notice to the county board under subparagraph (ii)2 of this paragraph,
25 the county board shall comply with the provisions of § 9–111 of this article.

26 (2) In Harford County, if, with the approval of the State
27 Superintendent, the county board finds that any land, school site, or building is no
28 longer needed for school purposes, it shall be transferred by the county board to
29 Harford County, Maryland, and disposed of in accordance with this section.

30 (3) With the approval of the State Superintendent, the Cecil County
31 Board may transfer, with or without charge, any of its property to the board of
32 trustees of a public community college.

33 (d) In Baltimore County, the Baltimore County Board of Education must
34 notify the Baltimore County Office of Planning and Zoning of any schools it is
35 considering for closure and request from that Office a written recommendation on the
36 proposed action. If the Office of Planning and Zoning wishes to make a
37 recommendation, it must be submitted to the board no later than November 1 of the
38 calendar year preceding the proposed closure. The board of education shall consider

1 these recommendations at least 3 months before taking final action. These provisions
2 may be waived by mutual agreement.

3 **(E) IN BALTIMORE CITY, IF THE BALTIMORE CITY BOARD OF SCHOOL**
4 **COMMISSIONERS CLOSES A PUBLIC SCHOOL AND THE SCHOOL BUILDING HAS**
5 **NOT BEEN REOPENED, TRANSFERRED, SOLD, OR OTHERWISE DISPOSED OF IN**
6 **ACCORDANCE WITH THIS SECTION, THE BALTIMORE CITY BOARD OF SCHOOL**
7 **COMMISSIONERS SHALL DEMOLISH THE SCHOOL BUILDING WITHIN 3 YEARS**
8 **AFTER THE DATE THE SCHOOL WAS CLOSED.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2013.