

Chapter 136

(House Bill 733)

AN ACT concerning

Local Government – Cross-References and Corrections

FOR the purpose of correcting certain cross-references to the Local Government Article in the Annotated Code of Maryland; correcting certain errors and omissions in and relating to the Local Government Article; clarifying the application of certain provisions; making certain conforming changes; deleting certain obsolete references; providing for the construction and effect of certain provisions of the Local Government Article; making stylistic changes; and generally relating to the Local Government Article and cross-references and corrections to it.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 1–203(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 1–204(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(10)(i), (vi), (ix), and (xiii), 5–114(a)(5), 5–301(d)(1), (2), (3), and
(5), 6–410(b)(1), 7–409(a)(2)(xvi), 7–501(c), and 12–401(d)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–110(j)(1)(ii) and 13–302(m)

Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 13–104 and 15–414(e)(2)(ii)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–111(a), 10–340(g)(1), 10–508(a)(3), 12–112(b), 12–115, 12–205(d)(3),
12–304(d)(1), and 12–308(d)(3)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–203(a)(1)(i), 4–306.2(p)(1), and 5–602(d), (g), and (j)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–204(a)(1), 6–102(b), 7–101(7) and (8), 7–102(f)(2), 9–104(h), and
13–604(d)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–206(d)(1), 9–505(a)(1), 9–506(a)(1)(ii), 9–697(d), 9–1608(c), 9–1614(b),
and 15–504(a)(2)(iii)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 7–116 and 7–223
Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 14–402(a)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–231(c)(1), 4–239(d)(6), 4–247(b)(6), 4–1608(a)(2), and 4–1609(a)
Annotated Code of Maryland
(2006 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–404(a)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–101(c) and (d), 1–204(a), 1–206, 1–207(a), 1–301(2), 1–302(4), 1–402,
1–501, 5–104(a)(5)(ii), 9–1607(b), 9–1608(b), 11–206, 17–208(g),
18–211, 22–403(a)(1), and 23–102(c)
Annotated Code of Maryland
(2012 Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–107(b), 3–122(b)(1) and (4), 3–908(d), 3–915, 5–307(h), and
8–1103(i)(2)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–1004(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 22–204(b), 29–101(h), and 29–102(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 10–704(a), 10–706(b), 10–707(b), and 11B–104(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–606(b), 6–222(a)(8), 8–117(c), and 8–202
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1220(d)(1)(i), 2–1237(a)(14), 15–802, and 15–853(d)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)(4) and 11–102(c)(1)(iii)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–243 and 9–102(a)(3)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 5–419(c), 8–610(h), and 8–630(a)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Article 2B – Alcoholic Beverages

15–109.

(b) In Allegany County the annual salary of the members of the Board of License Commissioners shall be set by the County Commissioners in accordance with

[Article 24, Title 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE 1 OF THE LOCAL GOVERNMENT ARTICLE.**

Article – Business Occupations and Professions

1–203.

(b) Except as otherwise provided in this article or [Article 24, Title 11 of the Code] **TITLE 13, SUBTITLE 1 AND SUBTITLE 3, PART I AND §§ 13–205 AND 16–115 OF THE LOCAL GOVERNMENT ARTICLE AND TITLE 17, SUBTITLE 4, PARTS V AND VI OF THE BUSINESS REGULATION ARTICLE**, a county, municipal corporation, or other political subdivision of the State may not:

(1) require a local license in that county, municipal corporation, or political subdivision to engage in a business or occupation for which a State license is required under this article; or

(2) impose a local fee or tax to engage in a business or occupation for which a State license is required under this article.

Article – Business Regulation

1–204.

(b) Except as otherwise provided in this article or [Article 24, Title 11 of the Code] **TITLE 13, SUBTITLE 1 AND SUBTITLE 3, PART I AND §§ 13–205 AND 16–115 OF THE LOCAL GOVERNMENT ARTICLE**, a county, municipal corporation, or other political subdivision of the State may not:

(1) require a local license in that county, municipal corporation, or political subdivision to engage in a business or occupation for which a State license is required under this article; or

(2) impose a local fee or tax to engage in a business or occupation for which a State license is required under this article.

Article – Courts and Judicial Proceedings

4–401.

Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

(10) A proceeding for adjudication of:

(i) A municipal infraction as [defined in Article 23A, § 3(b)(1) of the Code] **DESCRIBED IN § 6–102 OF THE LOCAL GOVERNMENT ARTICLE;**

(vi) A violation of an ordinance enacted:

1. By a charter county for which a civil penalty is provided under [Article 25A, § 5(A) of the Code] **§ 10–202 OF THE LOCAL GOVERNMENT ARTICLE;**

2. By the Mayor and City Council of Baltimore for which a civil penalty is provided by ordinance; or

3. By a code county for which a civil citation is issued under [Article 25B, § 13C–1 of the Code] **TITLE 11, SUBTITLE 3 OF THE LOCAL GOVERNMENT ARTICLE;**

(ix) A violation of an ordinance or regulation enacted by a county without home rule, under authority granted under [Article 25 of the Code] **THE LOCAL GOVERNMENT ARTICLE**, or any provision of the Code of Public Local Laws for that county, for which a civil penalty is provided;

(xiii) A civil infraction relating to the storage or distribution of tobacco products under [Article 24, Title 15 of the Code] **TITLE 1, SUBTITLE 12 OF THE LOCAL GOVERNMENT ARTICLE;**

5–114.

(a) (5) “Local government” means:

(i) A [chartered] **CHARTER** county [established under Article 25A of the Code] **AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE;**

(ii) A code county [established under Article 25B of the Code] **AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE;**

(iii) A board of county commissioners [established or operating under Article 25 of the Code];

(iv) Baltimore City;

(v) A [municipal corporation established or operating under Article 23A of the Code] **MUNICIPALITY AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE;**

- (vi) A special taxing district; or
- (vii) Any other political subdivision.

5-301.

(d) "Local government" means:

(1) A [chartered] **CHARTER** county [established under Article 25A of the Code] **AS DEFINED IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE;**

(2) A code county [established under Article 25B of the Code] **AS DEFINED IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE;**

(3) A board of county commissioners [established or operating under Article 25 of the Code];

(5) A [municipal corporation established or operating under Article 23A of the Code] **MUNICIPALITY AS DEFINED IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE;**

6-410.

(b) If the custodian of public records is not known and cannot be ascertained after a reasonable effort by a party in a legal proceeding, the party may request a court to issue a subpoena for the custodian of public records to be served on:

(1) A resident agent designated under [Article 24, § 1-110 of the Code] **§ 1-1301 OF THE LOCAL GOVERNMENT ARTICLE** for service on a local entity;

7-409.

(a) (2) "Crime" means an act committed by a person in the State that is:

(xvi) A crime under [Article 24, § 11-512, § 11-513, or § 11-514 of the Code] **§ 13-118(D), § 13-120(D), § 13-121(G), § 13-123(E), § 13-124(D), § 13-129(G), § 13-131(C), OR § 13-133(D) OF THE LOCAL GOVERNMENT ARTICLE;**

7-501.

(c) (1) "Crime" means any act or omission for which a statute or ordinance imposes a fine or imprisonment.

(2) “Crime” does not include a municipal infraction under [Article 23A, § 3 of the Code] **TITLE 6 OF THE LOCAL GOVERNMENT ARTICLE**.

12–401.

(d) (1) A defendant who has been found guilty of a municipal infraction, as [defined in Article 23A, § 3(b)(1) of the Code] **DESCRIBED IN § 6–102 OF THE LOCAL GOVERNMENT ARTICLE** or a Code violation under § 10–119 of the Criminal Law Article, may appeal from the final judgment entered in the District Court.

Article – Criminal Law

10–110.

(j) (1) The legislative body of a municipal corporation may:

(ii) classify littering as a municipal infraction under [Article 23A, § 3(b) of the Code] **TITLE 6 OF THE LOCAL GOVERNMENT ARTICLE**.

13–302.

(m) The Board of County Commissioners may adopt an ordinance or resolution declaring that a violation of this section or a rule or regulation adopted under this section is:

- (1) a civil infraction under [Article 25B, § 13C of the Code] **TITLE 11, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE**; or
- (2) a misdemeanor punishable by a term of imprisonment not exceeding 30 days or a fine not exceeding \$1,000 or both.

Article – Criminal Procedure

13–104.

Pending final disposition, the financial authority shall account for and deposit seized money in an interest-bearing bank account or invest the seized money in accordance with [Article 95 of the Code] **TITLE 17 OF THE LOCAL GOVERNMENT ARTICLE**.

15–414.

(e) (2) The financial audit shall be:

(ii) included in the annual audit of the county required by [Article 19, § 40 of the Code] §§ 16–305 THROUGH 16–308 OF THE LOCAL GOVERNMENT ARTICLE.

Article – Economic Development

10–111.

(a) (1) Except as otherwise provided in this section, in exercising its powers, the Corporation:

(i) may carry out its corporate purposes without the consent of any State unit; and

(ii) is not subject to:

1. Title 12, Subtitles 1 through 3 of this article;

2. THE FOLLOWING PROVISIONS OF THE LOCAL GOVERNMENT ARTICLE:

A. TITLE 18, SUBTITLE 1 (PARKING AUTHORITIES ACT); AND

B. TITLE 18, SUBTITLE 2 (OCEAN CITY CONVENTION CENTER);

[2.] 3. the following provisions of the State Finance and Procurement Article:

A. Title 2, Subtitles 2 (Gifts and Grants), 4 (Water and Sewerage Systems), and 5 (Facilities for the Handicapped);

B. Title 3 (Budget and Management);

C. Title 4 (Department of General Services);

D. Title 5A (Division of Historical and Cultural Programs);

E. Title 6, Subtitle 1 (Studies and Estimates);

F. Title 7, Subtitles 1 (State Operating Budget), 2 (Disbursements and Expenditures), and 3 (Unspent Balances);

G. §§ 8–127, 8–128, and 8–129 (certain restrictions on State general obligation bonds);

H. Title 8, Subtitle 1, Part V (State Revenue Anticipation Notes);

I. Title 10 (Board of Public Works – Miscellaneous Provisions); and

J. Division II (General Procurement Law);

[3.] 4. the following provisions of the State Government Article:

A. Title 9, Subtitles 10 (State Archives and Artistic Property) and 17 (Maryland State Employees Surety Bond Committee);

B. §§ 10–505 and 10–507 (certain open meetings provisions); and

C. Title 11 (Consolidated Procedures for Development Permits); and

[4.] 5. Article 41 of the Code.

(2) The Corporation is subject to the Public Information Act.

10–340.

(g) (1) “Public obligation” means a bond, note, evidence of indebtedness, or other obligation, to repay borrowed money issued by the Authority, the State, a unit, instrumentality, or public corporation of the State, [a public body as defined in Article 31, § 9 of the Code] **A GOVERNMENTAL ENTITY DESCRIBED IN § 19–205(A) OF THE LOCAL GOVERNMENT ARTICLE**, a county, or a municipal corporation.

10–508.

(a) The Corporation is exempt from:

(3) [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE** (Conditions upon Sale of Public Securities).

12–112.

(b) A bond is not subject to the limitations of [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

12–115.

Instead of the procedures under this subtitle, a municipal corporation, by charter amendment adopted under [Article 23A of the Code] **TITLE 4, SUBTITLE 3 OF THE LOCAL GOVERNMENT ARTICLE**, or a charter county, by charter amendment adopted under Article XI–A of the Maryland Constitution, may provide for the issuance of revenue bonds under the terms and conditions that the municipal corporation or charter county considers appropriate to achieve the legislative purposes of this subtitle.

12–205.

(d) (3) Bonds are exempt from [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

12–304.

(d) (1) This subsection does not apply to a county that is [subject to Article 25A or Article 25B of the Code] **A CHARTER COUNTY, AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE, OR A CODE COUNTY, AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE.**

12–308.

(d) (3) A bond is not subject to [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

Article – Education

3–203.

(a) (1) Except for the ex officio member, each elected county board member is entitled to:

(i) An annual salary set by the Allegany County Commissioners in accordance with [Article 24, Title 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE 1 OF THE LOCAL GOVERNMENT ARTICLE**; and

4–306.2.

(p) (1) The board may provide, from time to time, for the issuance and sale of bond anticipation notes in accordance with the procedures set forth in [Article

31, § 12 of the Code] **TITLE 19, SUBTITLE 2, PART III OF THE LOCAL GOVERNMENT ARTICLE** for the issuance of bonds.

5–602.

(d) The bonds shall:

- (1) Be dated and bear interest at a rate specified in the resolution;
 - (2) Mature within 30 years of the date of issuance of the bonds;
 - (3) Be issued at, above, or below par value, for cash or other consideration;
 - (4) Be payable at a time, in the denomination, in registered form, within the meaning of [Article 31, § 30 of the Code] **§ 19–204 OF THE LOCAL GOVERNMENT ARTICLE**, as specified in the resolution;
 - (5) Carry the registration and privileges as to conversion and for the replacement of mutilated, lost, or destroyed bonds, as specified in the resolution;
 - (6) Be payable in lawful money of the United States of America at a designated place;
 - (7) Be subject to the terms and conditions specified in the resolution;
- and
- (8) Be sold in the manner, including private or negotiated sale, and upon the terms, specified in the resolution.

(g) The bonds, their issue, and their sale may be exempt from the provisions of [Sections 9, 10, and 11 of Article 31 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE**.

(j) Before the preparation of bonds, the county may issue bond anticipation notes in accordance with [Article 31, § 12 of the Code] **TITLE 19, SUBTITLE 2, PART III OF THE LOCAL GOVERNMENT ARTICLE**.

Article – Election Law

2–204.

(a) Each regular member of a local board shall receive the salary and reimbursement of expenses provided in the county budget, but in no event may the annual compensation be less than the following amounts:

(1) in Allegany County, the amount set by the County Commissioners under [Article 24, Title 12, Subtitle 1 of the Code] ~~ARTICLE TITLE 28, SUBTITLE 1 OF THE LOCAL GOVERNMENT ARTICLE~~;

6-102.

(b) This title does not apply to a petition filed pursuant to [Article 23A of the Code] **DIVISION II OF THE LOCAL GOVERNMENT ARTICLE**.

7-101.

This title applies to the following types of ballot questions:

(7) a question on an enactment of a charter county pursuant to [Article 25A, § 8 of the Code] **§ 9-205 OF THE LOCAL GOVERNMENT ARTICLE** or a code county pursuant to [Article 25B, § 10 of the Code] **§§ 9-310 THROUGH 9-313 OF THE LOCAL GOVERNMENT ARTICLE**;

(8) a question relating to the incorporation of a new municipality pursuant to [Article 23A, § 21 of the Code] **§ 4-204 OF THE LOCAL GOVERNMENT ARTICLE**;

7-102.

(f) (2) A question on an enactment by a code county qualifies pursuant to local law and [Article 25B, § 10 of the Code] **§§ 9-310 THROUGH 9-313 OF THE LOCAL GOVERNMENT ARTICLE**.

9-104.

(h) [Article 31, §§ 9 through 11 of the Code] **SECTIONS 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE** do not apply to bonds issued under this section.

13-604.

(d) (2) The trial in the District Court shall be conducted in the same manner as set forth for municipal infractions under [Article 23A, § 3(b)(8) through (15) of the Code] **§§ 6-108, 6-109, AND 6-111 THROUGH 6-115 OF THE LOCAL GOVERNMENT ARTICLE**.

Article – Environment

9-206.

(d) Subsections (f) through (i) and subsection (l) of this section do not:

(1) Affect a local transfer of development rights program authorized under [Article 25A, § 5(X) of the Code] **§ 10-324 OF THE LOCAL GOVERNMENT ARTICLE** or Title 7, Subtitle 2 or § 22-105 of the Land Use Article; or

9-505.

(a) In addition to the other requirements of this subtitle, each county plan shall:

(1) Provide for the orderly expansion and extension of the following systems in a manner consistent with all county and local comprehensive plans prepared under Title 1, Subtitle 4, Title 3, or Title 21 of the Land Use Article, [Article 25A, § 5(X) of the Code, and Article 25B, § 13 of the Code] **§ 10-324 OF THE LOCAL GOVERNMENT ARTICLE**:

(i) Community water supply systems and multiuse water supply systems;

(ii) Community sewerage systems and multiuse sewerage systems; and

(iii) Solid waste disposal systems and solid waste acceptance facilities;

9-506.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, before a county governing body may adopt a county plan or a revision or amendment to the county plan:

(ii) The county planning agency shall certify that the plan, revision, or amendment is consistent with the county comprehensive plan prepared under Title 1, Subtitle 4 or Title 3 of the Land Use Article, [Article 25A, § 5(X) of the Code, or Article 25B, § 13 of the Code] OR **§ 10-324 OF THE LOCAL GOVERNMENT ARTICLE**.

9-697.

(d) The provisions of [Article 31, §§ 9 through 11 of the Code] **§§ 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE** do not apply to bonds issued under this subtitle.

9-1608.

(c) The bonds shall be exempt from the provisions of [§§ 10 and 11 of Article 31] **§§ 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE** ~~of the Annotated Code of Maryland~~ and §§ 8-206 and 8-208 of the State Finance and Procurement Article, and the Administration may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine.

9-1614.

(b) Notwithstanding any other provision of public general or public local law, charter, or ordinance regulating the creation of public debts or the making of contracts, a local government may enter into a loan agreement with the Administration for the purpose of financing all or a portion of the cost of a wastewater facility or water supply system. The express powers contained and enumerated in [Articles 23A, 25A, and 25B of the Annotated Code of Maryland] **TITLES 5 AND 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the charter of the City of Baltimore are deemed to incorporate and include the power and authority contained in this section.

15-504.

(a) (2) (iii) The county fiscal authority shall notify the Department in writing by no later than December 15 of those open-pit mining operators who have not paid all of their county coal severance taxes and surcharges, including any interest and penalties for late payment, that are due through the previous month of November, as provided under [Article 24, §§ 9-501, 9-502, and 9-509 of the Code] **§§ 20-301 THROUGH 20-303 AND 20-308 OF THE LOCAL GOVERNMENT ARTICLE** and § 15-509 of this subtitle. The county fiscal authority shall send this notice of nonpayment to the affected operator at the same time that the county fiscal authority notifies the Department. In the absence of this notification, the Department shall presume that all coal severance taxes and surcharges, including any interest and penalties for late payment, have been paid. The Department may not renew a person's open-pit mining operator's license unless all of that person's county coal severance taxes and surcharges, including any interest and penalties for late payment, that are due through the previous month of November have been paid.

Article – Estates and Trusts

2-108.

(b) Each of the judges of the Court for Allegany County shall receive an annual salary set by the County Commissioners in accordance with [Article 24, Title 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE 1 OF THE LOCAL GOVERNMENT ARTICLE**. Each judge shall also receive an expense allowance in the amount of \$600 annually, to be paid at the rate of \$50 monthly.

Article – Financial Institutions

7–116.

The Corporation is exempt from all taxes imposed by this State or any of its political subdivisions under [Title 9 of Article 24 of the Code] **§§ 20–101, 20–104, 20–108, 20–113 THROUGH 20–127, 20–601, 20–603 THROUGH 20–609, 20–805, AND 20–806, AND TITLE 20, SUBTITLES 3 THROUGH 5 OF THE LOCAL GOVERNMENT ARTICLE**, Title 6, Subtitle 1 of the Insurance Article, the Tax – General Article, or the Tax – Property Article.

7–223.

A credit union share guaranty corporation that is a nonprofit corporation exempt from federal taxation under § 501(c)(6) of the Internal Revenue Code is exempt from all taxes imposed by the State or any of its subdivisions under:

(1) [Article 24, Title 9 of the Code] **§§ 20–101, 20–104, 20–108, 20–113 THROUGH 20–127, 20–601, 20–603 THROUGH 20–609, 20–805, AND 20–806, AND TITLE 20, SUBTITLES 3 THROUGH 5 OF THE LOCAL GOVERNMENT ARTICLE;**

(2) Title 6, Subtitle 1 of the Insurance Article;

(3) The Tax – General Article; or

(4) The Tax – Property Article.

Article – Health – General

14–402.

(a) This subtitle and the regulations issued under this subtitle do not apply to:

(2) Subject to subsection (b) of this section, programs or activities directed or operated by a board of recreation, recreation department, or similar public unit of a county, a [municipal corporation, as defined by Article 23A of the Code] **MUNICIPALITY, AS DEFINED BY § 1–101 OF THE LOCAL GOVERNMENT ARTICLE**, or the Maryland–National Capital Park and Planning Commission, that involve use of neighborhood facilities, including:

(i) Schools;

(ii) Playgrounds;

- (iii) Parks; or
- (iv) Recreation centers;

Article – Housing and Community Development

4–231.

(c) (1) A local obligation that an issuer issues under this part shall have all the attributes of a negotiable instrument under [Article 31, § 8 of the Code] **§ 19–224 OF THE LOCAL GOVERNMENT ARTICLE.**

4–239.

(d) (6) Notwithstanding any other law, a loan to a mortgage lender and the collateral for it are not subject to [Article 95, § 22 of the Code] **§§ 17–101 AND 17–102 OF THE LOCAL GOVERNMENT ARTICLE** or to § 6–202, § 6–205, § 6–206, § 6–209, or § 6–210 of the State Finance and Procurement Article.

4–247.

(b) A trust agreement or a determination authorizing the issuance of bonds or notes may contain:

(6) provisions on investments of money of the Administration as the Administration provides, notwithstanding [Article 95, § 22 of the Code] **§§ 17–101 AND 17–102 OF THE LOCAL GOVERNMENT ARTICLE** and §§ 6–202, 6–205, 6–206, 6–209, and 6–210 of the State Finance and Procurement Article;

4–1608.

(a) (2) The bonds are not subject to [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

4–1609.

(a) A covered county may issue new bonds to pay outstanding bonds in accordance with procedures of this subtitle and [Article 31, § 24 of the Code] **§ 19–207 OF THE LOCAL GOVERNMENT ARTICLE.**

Article – Labor and Employment

9–404.

(a) (2) Notwithstanding the local government guidelines set forth in [Article 95, § 22 of the Code] **§§ 17–101 AND 17–102 OF THE LOCAL GOVERNMENT ARTICLE**, the guidelines required by paragraph (1)(ii) of this subsection shall:

(i) state the types of investment in which moneys may be invested;

(ii) include guidance for the prudent investment of moneys based on claim experience, cash flow projections, income, liquidity, investment ratings, and risk;

(iii) authorize investments of moneys in equities, provided that investments do not exceed 30 percent of the surplus moneys;

(iv) provide that moneys not invested in equities shall be invested in accordance with [Article 95, § 22 of the Code] **§§ 17–101 AND 17–102 OF THE LOCAL GOVERNMENT ARTICLE**; and

(v) prohibit borrowing of funds for the express purpose of investing those funds.

Article – Land Use

1–101.

(c) “Charter county” means a county that has adopted charter home rule under Article XI–A of the Maryland Constitution [and Article 25A of the Code].

(d) “Code county” means a county that has adopted code home rule under Article XI–F of the Maryland Constitution [and Article 25B of the Code].

1–204.

(a) Other public general laws that may affect land use in a local jurisdiction under this division, Division II of this article, or otherwise, include:

(1) [Article 23A, §§ 2(30) and (36), 9, 19, and 19A(e) of the Code;

(2) Article 25, § 3 of the Code;

(3) Article 25A, § 5 of the Code;

(4) Article 25B, § 13 of the Code] **THE LOCAL GOVERNMENT ARTICLE**; and

Article. **[(5)] (2)** Title 8, [subtitle] **SUBTITLE 18** of the Natural Resources

1–206.

(a) (1) In this subsection, “planning commission” includes a planning commission or board established under:

(i) Title 2 of this article;

(ii) Division II of this article; or

(iii) [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE.**

(2) Within 6 months after appointment to a planning commission, a member shall complete an education course that includes education on:

(i) the role of the comprehensive plan;

(ii) if applicable, proper standards for special exceptions and variances; and

(iii) the local jurisdiction’s local laws and regulations relating to zoning, planned development, subdivision, and other land use matters.

(3) The failure of a member to complete an education course under this subsection may not:

(i) invalidate a decision of the planning commission; or

(ii) be construed to create a private cause of action by any person.

(b) (1) In this subsection, “board of appeals” includes a board of appeals established under:

(i) Title 4, Subtitle 3 of this article;

(ii) § 10–403 of this article;

(iii) Division II of this article; or

(iv) [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE.**

(2) Within 6 months after appointment to a board of appeals, a member shall complete an education course that includes education on:

- (i) the role of the comprehensive plan;
- (ii) proper standards for special exceptions and variances; and
- (iii) the local jurisdiction's local laws and regulations relating to zoning, planned development, subdivision, and other land use matters.

(3) The failure of a member to complete an education course under this subsection may not:

- (i) invalidate a decision of the board; or
- (ii) be construed to create a private cause of action by any person.

1-207.

(a) In this section, "planning commission" includes a planning commission or board established under:

- (1) Title 2 of this article;
- (2) Division II of this article; or
- (3) [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE.**

1-301.

In this subtitle, "action" means:

- (2) a requirement under § 9-505(a)(1) of the Environment Article and [Article 23A, § 19(o)(3)(iii) of the Code] **§ 4-415(C) OF THE LOCAL GOVERNMENT ARTICLE** (Municipal annexation); or

1-302.

This subtitle applies to:

- (4) [Article 23A, § 19(o)(3)(iii) of the Code] **§ 4-414(C) OF THE LOCAL GOVERNMENT ARTICLE** (Annexation plan).

1-402.

(a) In addition to the powers the county may have had under this division before adopting code home rule, a code county may exercise the powers relating to land use stated in [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE**.

(b) A code county that chooses to exercise the powers relating to land use stated in [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** shall be treated as a charter county for purposes of § 1–401 of this subtitle.

1–501.

In this subtitle, “planning board”:

(1) means a planning board established under this article; and

(2) includes a planning commission or board established under Division II of this article or [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE**.

5–104.

(a) (5) (ii) “Planning board” includes a planning commission or board established under Division II of this article or [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE**.

9–1607.

(b) In a proceeding before the District Court, a subdivision violation shall be enforced in the same manner and to the same extent as a municipal infraction under [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH 6–115 OF THE LOCAL GOVERNMENT ARTICLE**.

9–1608.

(b) In a proceeding before the District Court, a zoning violation shall be enforced in the same manner and to the same extent as a municipal infraction under [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH 6–115 OF THE LOCAL GOVERNMENT ARTICLE**.

11–206.

In a proceeding before the District Court, a violation shall be adjudicated in the same manner and to the same extent as a municipal infraction under [Article 23A, §

3(b)(7) through (15) of the Code] **§§ 6–108 THROUGH 6–115 OF THE LOCAL GOVERNMENT ARTICLE.**

17–208.

(g) In a proceeding for a Commission infraction before the District Court, the violation shall be prosecuted in the same manner and to the same extent as provided for municipal infractions under [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH 6–115 OF THE LOCAL GOVERNMENT ARTICLE.**

18–211.

The sale of the bonds under this title is exempt from [Article 31, §§ 10 and 11 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

22–403.

(a) (1) Notwithstanding [Article 25A, § 5(U) of the Code] **§ 10–305 OF THE LOCAL GOVERNMENT ARTICLE**, judicial review of a decision by the board of appeals on an application for a zoning variance or special exception may be requested by any person or municipal corporation that appeared at the hearing in person, by attorney, or in writing.

23–102.

(c) A subdivision in a municipal corporation with subdivision authority under [Article 23A of the Code] **DIVISION II OF THE LOCAL GOVERNMENT ARTICLE** that is in the regional district may be recorded in the land records of Montgomery County or Prince George’s County if:

(1) the subdivision plat has been submitted to and approved by the municipal corporation; and

(2) the appropriate official of the municipal corporation endorses an approval in writing on the plat.

Article – Natural Resources

3–107.

(b) Notwithstanding any limitations or other provisions to the contrary of [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE 9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE**, or of any charter or local law regulating the procurement or awarding of public contracts, a municipality may enter into contracts with the Service

for the purpose of the Service providing any of the projects or services requested by the municipality. As soon as possible after receipt of a duly authorized request from a municipality or person, the Service shall draft a proposed contract with the municipality or person in accordance with the provisions of this subtitle specifying the type of project or services to be provided, whether or not a service district will be established, the boundaries and effective date of any service district, and the terms, conditions, and costs under which the project or services will be provided. Upon execution of the contract, the Service as soon as possible shall establish any service district provided for in the contract and provide, maintain, and operate the necessary project. For the purposes of this subsection, the express powers contained and enumerated in [Articles 23A, 25A, and 25B of the Code] **DIVISION II AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the Charter of the City of Baltimore are deemed to incorporate and include the power and authority contained in this subsection.

3-122.

(b) (1) Notwithstanding any limitations or other provisions to the contrary of [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE 9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE**, or of any charter or local law regulating the creation of public debts, a municipality may enter into contracts with the Service for the purpose of defraying the Service's costs of acquiring or providing a solid waste disposal project, wastewater purification project, water supply project, or energy project, which costs may include debt service requirements of the Service relating to that project. These contracts shall not be deemed to constitute or create a debt of the municipality or a pledge of its faith or credit within the meaning of any of these limitations or other provisions. Such a solid waste disposal project, wastewater purification project, water supply project, or energy project may not be deemed to be a capital project of the municipality within the meaning of any of these limitations or other provisions, and a resolution, ordinance, or other official action authorizing such contracts is not subject to referendum or other procedure not applicable to all ordinances or resolutions enacted by the municipality. For the purposes of this subsection, the express powers contained and enumerated in [Articles 23A, 25A, and 25B of the Code] **DIVISION II AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the Charter of the City of Baltimore are deemed to incorporate and include the power and authority contained in this subsection.

(4) A county or municipal corporation may exercise the powers granted under this section notwithstanding any limitations or other provisions to the contrary of [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE 9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE** or of any charter or local law.

3-908.

(d) The bonds shall be exempt from the provisions of [§§ 10 and 11 of Article 31 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE** and §§ 8–206 and 8–208 of the State Finance and Procurement Article, and the Authority may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine.

3–915.

The bonds shall not be deemed to constitute a debt, liability or a pledge of the faith and credit of the State of Maryland or of any political subdivision thereof other than the Authority, but such bonds shall be payable solely from the funds herein provided therefor. All such bonds shall contain on the face thereof a statement to the effect that neither the State of Maryland nor any political subdivision thereof other than the Authority shall be obligated to pay the same or the interest thereon except from revenues pledged thereto and that neither the faith and credit nor the taxing power of the State or any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds. The issuance of bonds under the provisions of this subtitle is not directly or indirectly or contingently an obligation, moral or other, of the State of Maryland or any political subdivision thereof to levy or pledge any form of taxation whatever therefor or to make any appropriation for their payment. Nothing contained in this section shall prevent the Authority from pledging its full faith and credit to the payment of bonds authorized pursuant to this subtitle. However, this section does not limit the ability of the State or a subdivision to set, impose, or collect an assessment, rate, fee, or charge to pay to the Authority the cost of a project, including the principal of and interest on a bond or note, under an agreement between the Authority and the State or subdivision.

Notwithstanding any limitations or other provisions to the contrary of [Article 23A, 25A, or 25B of the Code] **DIVISION II, TITLE 9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE**, or of any charter or local law regulating the creation of public debts, a subdivision may enter into contracts with the Authority for the purpose of defraying the Authority's costs of acquiring, constructing, operating, or providing a project, which costs may include debt service requirements of the Authority relating to that project. These contracts are not intended and shall not be deemed to constitute or create a debt of the subdivision or a pledge of its faith or credit within the meaning of any of these limitations or any constitutional or other provisions. Such a project shall not be deemed to be a capital project of the subdivision within the meaning of any of these limitations or other provisions, and a resolution, ordinance, or other official action authorizing such contracts is not subject to referendum or other procedure not applicable to all ordinances or resolutions enacted by the subdivision. For the purposes of this section, the express powers contained and enumerated in [Articles 23A, 25A, and 25B of the Code] **DIVISION II AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the charter of the City of Baltimore are deemed to incorporate and include the power and authority contained in this section.

5–307.

(h) The amount of revenues collected under subsection (f)(1) of this section shall be included in the report required under [Article 24, § 2–101 of the Code] **§ 16–103 OF THE LOCAL GOVERNMENT ARTICLE.**

8–1103.

(i) The financing plan submitted by the municipality and county in which the project is located shall:

(2) Set forth the revenue sources to be relied upon to provide the local costs, which without limitation may include:

(i) As to the county:

1. The recordation tax authorized by Title 12 of the Tax – Property Article;
2. The admissions and amusement tax authorized by § 4–102(b) of the Tax – General Article;
3. The county income tax authorized by § 10–103 of the Tax – General Article;
4. State–collected, locally–shared taxes or designated portions of the taxes;
5. Taxes authorized by the Tax – Property Article; and
6. Revenues raised by establishment of an erosion control district established pursuant to [Article 25, §§ 161 and 163A of the Code] **§§ 21–202, 21–204, AND 21–210 OF THE LOCAL GOVERNMENT ARTICLE;** and

(ii) As to the municipality:

1. Taxes authorized by the Tax – Property Article;
2. Fees and charges authorized by [Article 23A, § 2(b)(33) of the Code] **§ 5–205(D) OF THE LOCAL GOVERNMENT ARTICLE** or the municipality's charter; and
3. The admissions and amusement tax authorized by § 4–102(b) of the Tax – General Article; and

Article – Public Safety

12–1004.

(c) Except as otherwise allowed under this subtitle and Subtitles 2, 3, 4, and 5 of this title, and notwithstanding [Articles 23A, 25, 25A, 25B, 28, and 29 of the Code] **THE LOCAL GOVERNMENT ARTICLE, DIVISION II OF THE LAND USE ARTICLE, AND DIVISION II OF THE PUBLIC UTILITIES ARTICLE** and any building codes, mechanical codes, plumbing codes, fire prevention codes, and electrical codes adopted under those articles of the Code, the MBRC applies to all rehabilitation projects for which a construction permit application is received by a local jurisdiction, the Maryland–National Capital Park and Planning Commission, or the Washington Suburban Sanitary Commission after adoption of the MBRC.

Article – Public Utilities

22–204.

(b) [Article 31, §§ 9, 10, and 11 of the Code] **SECTIONS 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE** do not apply to the issuance and sale of bonds authorized by this subtitle.

29–101.

(h) In a proceeding for a Commission infraction before the District Court, the violation shall be prosecuted in the same manner and to the same extent provided for municipal infractions under [Article 23A, § 3(b)(7), (10), and (12) through (15) of the Code] **§§ 6–108 THROUGH 6–110, 6–112, AND 6–114 OF THE LOCAL GOVERNMENT ARTICLE.**

29–102.

(g) In a proceeding for a Commission infraction before the District Court, the violation shall be prosecuted in the same manner and to the same extent provided for municipal infractions under [Article 23A, § 3(b)(7), (10), and (12) through (15) of the Code] **§§ 6–108 THROUGH 6–110, 6–112, AND 6–114 OF THE LOCAL GOVERNMENT ARTICLE.**

Article – Real Property

10–704.

(a) In Frederick County, the vendor of a property that is subject to a tax or fee of a special taxing district as authorized in [Article 23A, § 44A(b) of the Code] **§ 21–409 OF THE LOCAL GOVERNMENT ARTICLE** or by a community development

authority as authorized in § 2–7–125(b) of the Public Local Laws of Frederick County may not enforce a contract for the sale of the property unless within 20 calendar days after entering into the contract, the purchaser of the property is provided the following information in writing:

(1) In conspicuous, bold, and underscored type, substantially the same as the following clause:

“This sale is subject to a tax or fee of a (special taxing district or community development authority). State law requires that the seller disclose to you at or before the time the contract is entered into, or within 20 calendar days after entering into the contract, certain information concerning the property you are purchasing. The content of the information to be disclosed is set forth in § 10–704 of the Real Property Article of the Maryland Annotated Code and includes the amount of the current annual tax or fee of the (special taxing district or community development authority) for the property, the number of years remaining for the tax or fee of the (special taxing district or community development authority), and a statement of whether any tax or fee of the (special taxing district or community development authority) against the property is delinquent.”;

(2) The amount of the current annual tax or fee of the special taxing district or community development authority for the property;

(3) The number of years remaining for the tax or fee of the special taxing district or community development authority on the property; and

(4) Whether any tax or fee of the special taxing district or community development authority against the property is delinquent.

10–706.

(b) The vendor of property that is subject to a tax of a special taxing district as authorized in [Article 24, § 9–1301(c) of the Code] **§§ 21–503, 21–504, AND 21–519 THROUGH 21–523 OF THE LOCAL GOVERNMENT ARTICLE** may not enforce a contract for the sale of the property unless:

(1) The purchaser of the property is provided with the following information in writing:

(i) A description of the area included within the special taxing district;

(ii) The maximum amount of bonds and other obligations to be issued with respect to the special taxing district;

(iii) A description of the purposes for which the special taxing district was created, and for which the bonds or other obligations have been issued, including a description of any improvements;

(iv) The amount of special taxes levied on the property for the most recent year or, if taxes were not levied on the property for the most recent year, a good-faith estimate of the annual tax that will be levied on the property;

(v) The maximum amount of special taxes that may be levied on the property in a year;

(vi) The projected time period over which any bonds or obligations issued in connection with the special taxing district are to be repaid; and

(vii) A description of the purchaser's right to fully prepay the special taxing district obligations; and

(2) The contract for the sale of the property contains a notice, written in conspicuous, bold, and underscored type, that is substantially the same as the following:

“NOTICE REQUIRED BY MARYLAND LAW

The property that is the subject of this contract is located within a special taxing district, which has been created for the purpose of financing or refinancing the costs related to certain infrastructure improvements within the taxing district. These costs will be repaid from the proceeds of special taxes collected from the owners of properties located within the special taxing district.

State law requires that the seller disclose to you, at or before the time you enter into this contract, the following information: (1) a description of the area included within the special taxing district, (2) the maximum amount of bonds and other obligations to be issued with respect to the special taxing district, (3) a description of the purposes for which the special taxing district was created, and for which the bonds or other obligations have been issued, including a description of any infrastructure improvements, (4) the amount of special taxes levied on the property for the most recent year or, if taxes were not levied on the property for the most recent year, a good-faith estimate of the annual tax that will be levied on the property, (5) the maximum amount of special taxes that may be levied on the property in a year, (6) the projected time period over which any bonds or obligations issued in connection with the special taxing district are to be repaid, and (7) your right as the prospective owner of the property to fully prepay the special taxing district obligations with respect to the property.

You have 7 calendar days from the date you receive the above information relating to the special taxing district to cancel this contract by sending a written notice

of cancellation to the seller. You are not required to state a reason for cancelling the contract. Upon cancellation of the contract, you are entitled to a refund of any deposit you may have made under this contract.

A seller may not require that you waive your right to receive the information relating to the special taxing district or your right to cancel the contract within 7 calendar days of receipt of the information. A seller may not require that you close the sale under this contract within 7 calendar days from the date you receive the information relating to the special taxing district.

State law provides that any seller who, in disclosing the information relating to the special taxing district, makes any false statement of a material fact or omits a material fact that, in light of the circumstances under which the statements were made, is necessary to make the statements not misleading is liable to the purchaser for damages proximately caused by the seller's false or omitted statement. Any action for damages caused by the seller's false statement or omission of a material fact must be brought within 1 year from the date of closing under this contract.

You should carefully review the information relating to the special taxing district provided by the seller to familiarize yourself with your rights and obligations as a prospective owner of property located within the special taxing district.”

10-707.

(b) The vendor of property that is subject to a tax of a special taxing district as authorized in [Article 24, § 9-1301(c) of the Code] **§§ 21-503, 21-504, AND 21-519 THROUGH 21-523 OF THE LOCAL GOVERNMENT ARTICLE** may not enforce a contract for the sale of the property unless:

(1) The purchaser of the property is provided with the following information in writing on or before entering into the contract for the sale of the property:

(i) A description of the area included within the special taxing district;

(ii) The maximum amount of bonds and other obligations to be issued with respect to the special taxing district;

(iii) A description of the purposes for which the special taxing district was created, and for which the bonds or other obligations have been issued, including a description of any improvements;

(iv) The amount of special taxes levied on the property for the most recent year or, if taxes were not levied on the property for the most recent year, a good-faith estimate of the annual tax that will be levied on the property;

(v) The maximum amount of special taxes that may be levied on the property in a year;

(vi) The projected time period over which any bonds or obligations issued in connection with the special taxing district are to be repaid; and

(vii) A description of the purchaser's right to fully prepay the special taxing district obligations; and

(2) The contract for the sale of the property contains a notice, written in conspicuous, bold, and underscored type, that is substantially the same as the following:

“NOTICE REQUIRED BY MARYLAND LAW

The property that is the subject of this contract is located within a special taxing district, which has been created for the purpose of financing or refinancing the costs related to certain infrastructure improvements within the taxing district. These costs will be repaid from the proceeds of special taxes collected from the owners of properties located within the special taxing district.

State law requires that the seller disclose to you, at or before the time you enter into this contract, the following information: (1) a description of the area included within the special taxing district, (2) the maximum amount of bonds and other obligations to be issued with respect to the special taxing district, (3) a description of the purposes for which the special taxing district was created, and for which the bonds or other obligations have been issued, including a description of any infrastructure improvements, (4) the amount of special taxes levied on the property for the most recent year or, if taxes were not levied on the property for the most recent year, a good-faith estimate of the annual tax that will be levied on the property, (5) the maximum amount of special taxes that may be levied on the property in a year, (6) the projected time period over which any bonds or obligations issued in connection with the special taxing district are to be repaid, and (7) your right as the prospective owner of the property to fully prepay the special taxing district obligations with respect to the property.

You have 20 calendar days from the date you receive the above information relating to the special taxing district to cancel this contract by sending a written notice of cancellation to the seller. You are not required to state a reason for cancelling the contract. Upon cancellation of the contract, you are entitled to a refund of any deposit you may have made under this contract.

A seller may not require that you waive your right to receive the information relating to the special taxing district or your right to cancel the contract within 20 calendar days of receipt of the information. A seller may not require that you close the

sale under this contract within 20 calendar days from the date you receive the information relating to the special taxing district.

State law provides that any seller who, in disclosing the information relating to the special taxing district, makes any false statement of a material fact or omits a material fact that, in light of the circumstances under which the statements were made, is necessary to make the statements not misleading is liable to the purchaser for damages proximately caused by the seller's false or omitted statement. Any action for damages caused by the seller's false statement or omission of a material fact must be brought within 1 year from the date of closing under this contract.

You should carefully review the information relating to the special taxing district provided by the seller to familiarize yourself with your rights and obligations as a prospective owner of property located within the special taxing district.”

11B-104.

(c) Subject to the provisions of this title, a code home rule county located in the Southern Maryland class, as identified in [Article 25B, § 2 of the Code] **§ 9-302 OF THE LOCAL GOVERNMENT ARTICLE**, may establish a homeowners association commission with the authority to hear and resolve disputes between a homeowners association and a homeowner regarding the enforcement of the recorded covenants or restrictions of the homeowners association by providing alternative dispute resolution services, including binding arbitration.

Article – State Finance and Procurement

5-606.

(b) The Plan does not:

- (1) supersede any State statute or regulation;
- (2) supersede any local ordinance or regulation;

(3) affect the delegation of planning and zoning powers granted by the State to local jurisdictions under [Articles 23A, 25A, and 25B of the Code] **DIVISION II, TITLE 9, SUBTITLES 2 OR 3, TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE** and Division I of the Land Use Article; or

(4) overturn or prevent a decision of a local jurisdiction to fund a project.

6-222.

(a) The Treasurer may invest or reinvest unexpended or surplus money over which the Treasurer has custody in:

(8) any investment portfolio created under the Maryland Local Government Investment Pool defined under [Article 95, § 22G] **§§ 17– 301 THROUGH 17–309 OF THE LOCAL GOVERNMENT ARTICLE** of the Code that is administered by the Office of the State Treasurer.

8–117.

(c) An enabling act may take substantially the following form:

“A BILL ENTITLED

AN ACT concerning

Creation of a State Debt – (Name of Project)

FOR the purpose of authorizing the creation of a State debt not to exceed \$....., (for an enabling act that requires an equal matching fund)/ in the amount of \$....., (for an enabling act that requires no matching fund or a lesser matching fund) the proceeds to be used as a grant to (name of grantee) for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to the requirement that the grantee provide and expend a matching fund (if the enabling act requires a matching fund); and providing generally for the issuance and sale of bonds evidencing the loan.

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

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the ... (name of project) Loan of ... (year) equal to the lesser of (i) \$... or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. (For an enabling act that requires an equal matching fund)/ in the total principal amount of \$..... (for an enabling act that requires no matching fund or a lesser matching fund). This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 **AND 8–131.2** of the State Finance and Procurement Article [and Article 31, § 22 of the Code] .

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer

and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to (name of grantee) (referred to hereafter in this Act as "the grantee") (for an enabling act that requires a matching fund) for (here state the purpose or purposes to which the proceeds of the bonds are to be applied).

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issue of the bonds.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, (year)".

8-202.

This subtitle does not apply to an entity that is governed by [Article 31 of the Code] **TITLE 19, SUBTITLES 1, 2, AND 9 AND SUBTITLE 6, PART I OF THE LOCAL GOVERNMENT ARTICLE.**

Article – State Government

2-1220.

(d) (1) The Office of Legislative Audits shall review any audit report prepared under the authority of:

(i) [Article 19, § 40 of the Code] **§§ 16-305 THROUGH 16-308 OF THE LOCAL GOVERNMENT ARTICLE**, with respect to a county, municipal corporation, or taxing district; or

2-1237.

(a) In addition to any duties set forth elsewhere, the Office shall:

(14) review the financial reports received from each political subdivision in accordance with [Article 24, § 2-101 of the Code] **§ 16-103 OF THE LOCAL GOVERNMENT ARTICLE** as to completeness and accuracy. If the report needs revision, the political subdivision shall be advised and shall submit the requested information within 15 days. The financial reports of political subdivisions shall be available for public inspection and certified copies shall be provided by the Office for a reasonable fee;

15-802.

The express powers contained in [Articles 23A, 25A, and 25B of the Code] **TITLE 5, SUBTITLE 2 AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the Charter of the City of Baltimore are intended and shall be deemed to incorporate and include the power and authority contained in this Part I.

15-853.

(d) “Application” means:

(4) a request made under [Article 23A, § 9(c) of the Code] **§ 4-416 OF THE LOCAL GOVERNMENT ARTICLE** for the Board to approve the placement of annexed land in a zoning classification that allows a land use that is substantially different from the use for the land authorized in the zoning classification of the county applicable at the time of annexation; or

Article – Tax – General

4-103.

(a) The admissions and amusement tax may not be imposed by:

(4) Washington County on gross receipts from an amusement device that is subject to the license and permit requirements of [Article 24, § 11-202 of the Code] **TITLE 17, SUBTITLE 4, PART V OF THE BUSINESS REGULATION ARTICLE**;

11-102.

(c) (1) A county, municipal corporation, special taxing district, or other political subdivision of the State may not impose any retail sales or use tax except:

(iii) a tax imposed by a code county on the sale or use of food and beverages authorized under [Article 25B, § 13H of the Code] **§ 20-602 OF THE LOCAL GOVERNMENT ARTICLE**.

Article – Tax – Property

7-243.

(a) In this section, “heavy equipment property” has the meaning stated in [Article 24, § 9-609 of the Code] **§ 20-609 OF THE LOCAL GOVERNMENT ARTICLE**.

(b) Heavy equipment property is not subject to the property tax if the property is subject to the gross receipts tax imposed under [Article 24, § 9–609 of the Code] **§ 20–609 OF THE LOCAL GOVERNMENT ARTICLE.**

9–102.

(a) (3) “Assumed real property tax” means:

(i) 15% of the occupancy rent paid by a renter during the calendar year; or

(ii) 15% of the occupancy rent paid by a renter during the calendar year plus any tax paid under [Article 24, § 9–401 of the Code] **§ 20–501 OF THE LOCAL GOVERNMENT ARTICLE.**

Article – Transportation

5–419.

(c) This section supersedes any other general or local law[, including Article 31 of the Code,] to the extent of any conflict. No part of this section may be deemed to be impliedly repealed or superseded by any subsequent legislation if such construction reasonably can be avoided.

8–610.

(h) “Municipality” means the governing body of a [municipal corporation as defined in Article 23A, § 9 of the Code] **MUNICIPALITY AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE.**

8–630.

(a) (2) “Municipal corporation” [has the meaning stated in Article 23A, § 9 of the Code] **MEANS A MUNICIPALITY AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The revision of former Article 31, § 22 of the Code as enacted by Chapter 119 (H.B. 472/3lr0446) of the Acts of the General Assembly of 2013 and its reenactment by that Act as § 8–131.2 of the State Finance and Procurement Article shall have no effect with respect to the validity of any bonds authorized or issued under an enactment of the General Assembly of 2013 or any prior year, and any such bonds shall continue to be accorded the same tax–exempt status as under the former

Article 31, § 22 prior to the enactment of Chapter 119 (H.B. 472/3lr0446) of the Acts of 2013; and

(2) The changes made to former Article 31 by Chapter 119 (H.B. 472/3lr0446) of the Acts of the General Assembly of 2013 shall have no effect with respect to the status and validity of any bonds authorized or issued under an enactment of the General Assembly of 2013 or any prior year.

(b) Any enactment of the General Assembly of 2013 or any prior year containing a reference to any provision of former Article 31 that was in effect on September 30, 2013, shall be deemed to include a reference to the corresponding provision of law as enacted by Chapter 119 (H.B. 472/3lr0446) of the Acts of the General Assembly of 2013.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, April 9, 2013.