

# SENATE BILL 49

N1  
HB 1365/16 – ENV

(PRE-FILED)

7lr1140  
CF 7lr1179

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By: **Senators Cassilly and Jennings**

Requested: November 15, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Military Personnel – Limitation on Liability for Rent**

3 FOR the purpose of altering the circumstances under which the liability, for rent under a  
4 lease, of a person on active duty with the United States military is limited; limiting  
5 the liability for rent of the spouse of a person on active duty with the United States  
6 military under certain circumstances; defining a certain term; and generally relating  
7 to the liability for rent of certain military personnel and spouses.

8 BY repealing and reenacting, with amendments,

9 Article – Real Property

10 Section 8–212.1

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2016 Supplement)

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

14 That the Laws of Maryland read as follows:

15 **Article – Real Property**

16 8–212.1.

17 **(A) IN THIS SECTION, “CHANGE OF ASSIGNMENT” INCLUDES:**

18 **(1) PERMANENT CHANGE OF STATION ORDERS;**

19 **(2) TEMPORARY DUTY ORDERS FOR A PERIOD EXCEEDING 90 DAYS;**

20 **(3) ORDERS REQUIRING A PERSON TO MOVE INTO QUARTERS**

21 **LOCATED ON A MILITARY INSTALLATION; AND**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(4) A RELEASE FROM ACTIVE DUTY, INCLUDING:**

2                   **(I) RETIREMENT;**

3                   **(II) SEPARATION OR DISCHARGE UNDER HONORABLE**  
4 **CONDITIONS; AND**

5                   **(III) DEMOBILIZATION OF AN ACTIVATED RESERVIST OR A**  
6 **MEMBER OF THE NATIONAL GUARD WHO WAS SERVING ON ACTIVE DUTY ORDERS**  
7 **FOR AT LEAST 180 CONSECUTIVE DAYS.**

8           **(B)** Notwithstanding any other provision of this title, if a person who is on active  
9 duty with the United States military, **OR THE PERSON'S SPOUSE**, enters into a residential  
10 lease of property and **THE PERSON** subsequently receives [permanent change of station  
11 orders or temporary duty orders for a period in excess of 3 months] **A CHANGE OF**  
12 **ASSIGNMENT, BEFORE OR AFTER OCCUPYING THE PROPERTY**, any liability of the  
13 person, **OR THE PERSON'S SPOUSE**, for rent under the lease may not exceed:

14                   (1) 30 days' rent after written notice and proof of the **CHANGE OF**  
15 assignment is given to the landlord; and

16                   (2) The cost of repairing damage to the premises caused by an act or  
17 omission of the tenant.

18           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2017.