

# SENATE BILL 49

N1  
HB 1365/16 – ENV

(PRE-FILED)

7lr1140  
CF 7lr1179

---

By: **Senators Cassilly and Jennings**

Requested: November 15, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 14, 2017

---

## CHAPTER \_\_\_\_\_

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; clarifying the liability of a person on active  
7 duty or the spouse of a person on active duty for rent under a lease under certain  
8 circumstances; defining a certain term; and generally relating to the liability for rent  
9 of certain military personnel and spouses.

10 BY repealing and reenacting, with amendments,  
11 Article – Real Property  
12 Section 8–212.1  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2016 Supplement)

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

17 **Article – Real Property**

18 8–212.1.

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

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1           **(1) PERMANENT CHANGE OF STATION ORDERS;**
- 2           **(2) TEMPORARY DUTY ORDERS FOR A PERIOD EXCEEDING 90 DAYS;**
- 3           **(3) ORDERS REQUIRING A PERSON TO MOVE INTO QUARTERS**  
4 **LOCATED ON A MILITARY INSTALLATION; AND**
- 5           **(4) A RELEASE FROM ACTIVE DUTY, INCLUDING:**
- 6                   **(I) RETIREMENT;**
- 7                   **(II) SEPARATION OR DISCHARGE UNDER HONORABLE**  
8 **CONDITIONS; AND**
- 9                   **(III) DEMOBILIZATION OF AN ACTIVATED RESERVIST OR A**  
10 **MEMBER OF THE NATIONAL GUARD WHO WAS SERVING ON ACTIVE DUTY ORDERS**  
11 **FOR AT LEAST 180 CONSECUTIVE DAYS.**

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

18                   (1) **ANY RENT OR LAWFUL CHARGES THEN DUE AND PAYABLE PLUS** 30  
19 days' rent after written notice and proof of the **CHANGE OF** assignment is given to the  
20 landlord; and

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

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