## **SENATE BILL 214**

L1, E4 7lr0391

By: Senators Brochin, Hough, Muse, and Salling

Introduced and read first time: January 19, 2017

Assigned to: Judicial Proceedings

## A BILL ENTITLED

4	A TAT		•
T	AN	ACT	concerning

## Local Government - Public Nuisances - Restriction on Local "Padlock" Laws

- 3 FOR the purpose of prohibiting a county from enacting or enforcing a local law that
- 4 authorizes the chief law enforcement officer to order the discontinuance of a public
- 5 nuisance on any premises or the closing of the premises to a certain extent, unless
- 6 the local law provides for a certain hearing before the issuance of the order; and
- 7 generally relating to public nuisances.
- 8 BY adding to

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- 9 Article Local Government
- 10 Section 13–411
- 11 Annotated Code of Maryland
- 12 (2013 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 Local Government
- 16 **13–411.**
- 17 (A) THIS SECTION APPLIES TO ALL COUNTIES, INCLUDING BALTIMORE
- 18 **CITY.**
- 19 (B) A COUNTY MAY NOT ENACT OR ENFORCE A LOCAL LAW THAT
- 20 AUTHORIZES THE CHIEF LAW ENFORCEMENT OFFICER TO ORDER THE
- 21 DISCONTINUANCE OF A PUBLIC NUISANCE ON ANY PREMISES OR THE CLOSING OF
- 22 THE PREMISES TO THE EXTENT NECESSARY TO ABATE A PUBLIC NUISANCE, UNLESS
- 23 THE LOCAL LAW PROVIDES FOR A HEARING BEFORE A CIRCUIT COURT JUDGE

- 1 WITHOUT THE NECESSITY OF A REQUEST BY THE OWNER OF THE PREMISES, BEFORE
- 2 THE ISSUANCE OF THE ORDER.
- 3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 4 October 1, 2017.