

# SENATE BILL 288

C8, L3

0lr1310  
CF 0lr1313

---

By: **Senators Elfreth, Beidle, and Rosapepe**

Introduced and read first time: January 22, 2020

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **City of Annapolis – Housing Authority – Prohibitions Against Exceptions to**  
3 **Local Laws**

4 FOR the purpose of prohibiting a State public body from making an exception for the  
5 Housing Authority of the City of Annapolis to a law, rule, regulation, or ordinance  
6 that operates in Annapolis and relates to licensure or the inspection of real property;  
7 and generally relating to the Housing Authority of the City of Annapolis.

8 BY repealing and reenacting, without amendments,  
9 Article – Housing and Community Development  
10 Section 12–201, 12–506(b)(9), 13–102, and 13–103  
11 Annotated Code of Maryland  
12 (2019 Replacement Volume and 2019 Supplement)

13 BY adding to  
14 Article – Housing and Community Development  
15 Section 13–112  
16 Annotated Code of Maryland  
17 (2019 Replacement Volume and 2019 Supplement)

18 Preamble

19 WHEREAS, The Housing Authority of the City of Annapolis remains among the  
20 nation’s oldest housing authorities, as it was founded in 1937, with an intent to provide  
21 decent, safe, and sanitary federally subsidized rental housing throughout the City of  
22 Annapolis; and

23 WHEREAS, The City of Annapolis provides for the habitability, sanitation, health,  
24 and safety of all rental housing in its borders through enforcement of the Charter and Code  
25 of the City of Annapolis, including the Residential Property Maintenance Code, which is  
26 administered through periodic code enforcement inspections; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The Housing Authority of the City of Annapolis, a public body, corporate  
2 and politic, and the City of Annapolis, a political subdivision, are empowered by the  
3 authority therein vested from the State of Maryland through acts of the General Assembly;  
4 and

5 WHEREAS, The General Assembly acknowledges the utility of municipal  
6 inspections of the 790 rental housing units owned and operated by the Housing Authority  
7 of the City of Annapolis; now, therefore,

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

10 **Article – Housing and Community Development**

11 12–201.

12 Except as provided in § 12–208 of this subtitle, in each political subdivision, there is  
13 a public body corporate and politic known as the “housing authority” of the political  
14 subdivision or as otherwise designated in the articles of organization.

15 12–506.

16 (b) To aid and cooperate in the planning, undertaking, construction, or operation  
17 of housing projects located wholly or partly in the area in which it may act, a State public  
18 body, with or without consideration and on terms that it determines, may:

19 (9) plan, replan, zone, or rezone any part of the State public body, make  
20 exceptions to its sanitary, building, housing, fire, health, subdivision, or other similar laws,  
21 rules, regulations, and ordinances or make any changes to its map or master plan; and

22 13–102.

23 Title 12 of this article applies to the Annapolis Authority except where it is  
24 inconsistent with this title.

25 13–103.

26 The Housing Authority of the City of Annapolis is a public body corporate and politic  
27 that:

28 (1) exercises public and essential governmental functions; and

29 (2) has all the powers necessary or convenient to carry out the purposes of  
30 this Division II.

31 **13–112.**

1           **A STATE PUBLIC BODY MAY NOT MAKE AN EXCEPTION FOR THE ANNAPOLIS**  
2 **AUTHORITY TO A LAW, A RULE, A REGULATION, OR AN ORDINANCE THAT:**

3                   **(1) OPERATES IN THE CITY OF ANNAPOLIS; AND**

4                   **(2) RELATES TO:**

5                           **(I) LICENSURE; OR**

6                           **(II) THE INSPECTION OF REAL PROPERTY.**

7           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
8 **October 1, 2020.**