

# SENATE BILL 288

C8, L3

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CF HB 544

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

Introduced and read first time: January 22, 2020

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2020

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

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 subject to certain exceptions; providing for the application of this Act; and generally  
8 relating to the Housing Authority of the City of Annapolis.

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

14 BY adding to  
15 Article – Housing and Community Development  
16 Section 13–112  
17 Annotated Code of Maryland  
18 (2019 Replacement Volume and 2019 Supplement)

19 Preamble

20 WHEREAS, The Housing Authority of the City of Annapolis remains among the  
21 nation’s oldest housing authorities, as it was founded in 1937, with an intent to provide

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### 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 decent, safe, and sanitary federally subsidized rental housing throughout the City of  
2 Annapolis; and

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

7 WHEREAS, The Housing Authority of the City of Annapolis, a public body, corporate  
8 and politic, and the City of Annapolis, a political subdivision, are empowered by the  
9 authority therein vested from the State of Maryland through acts of the General Assembly;  
10 and

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

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

16 **Article – Housing and Community Development**

17 12–201.

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

21 12–506.

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

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

28 13–102.

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

31 13–103.

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

- 1 (1) exercises public and essential governmental functions; and  
2 (2) has all the powers necessary or convenient to carry out the purposes of  
3 this Division II.

4 **13-112.**

5 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A STATE**  
6 **PUBLIC BODY MAY NOT MAKE AN EXCEPTION FOR THE ANNAPOLIS AUTHORITY TO A**  
7 **LAW, A RULE, A REGULATION, OR AN ORDINANCE THAT:**

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

9 **(2) RELATES TO:**

10 **(I) LICENSURE; OR**

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

12 **(B) A STATE PUBLIC BODY MAY, FOR THE ANNAPOLIS AUTHORITY:**

13 **(1) EXTEND THE TIME PERIOD, WITHIN AN INSPECTION CYCLE, FOR**  
14 **THE REINSPECTION OF A UNIT THAT FAILS AN INITIAL INSPECTION; OR**

15 **(2) WAIVE A FEE OR FINE THAT IS ASSOCIATED WITH THE LICENSURE**  
16 **OR INSPECTION OF REAL PROPERTY.**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to**  
18 **apply only prospectively and may not be applied or interpreted to have any effect on or**  
19 **application to any exception that a State public body made for the Housing Authority of the**  
20 **City of Annapolis to a law, rule, regulation, or ordinance relating to the licensure or**  
21 **inspection of real property before the effective date of this Act.**

22 **SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
23 **October 1, 2020.**