

SENATE BILL 715

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2000 Regular Session
0lr2565
CF 0lr2566

By: **Senator McFadden (Baltimore City Administration)**

Introduced and read first time: February 4, 2000

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Local Government Tort Claims Act - Nonprofit Corporations Operating**
3 **Municipal Market Facilities**

4 FOR the purpose of providing that a nonprofit corporation authorized to operate a
5 municipal market facility meets the definition of local government for the
6 purposes of the Local Government Tort Claims Act; and generally relating to the
7 Local Government Tort Claims Act and nonprofit corporations authorized to
8 operate municipal market facilities.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 5-301(d)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1999 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 5-301.

18 (d) "Local government" means:

19 (1) A chartered county established under Article 25A of the Code;

20 (2) A code county established under Article 25B of the Code;

- 1 (3) A board of county commissioners established or operating under
2 Article 25 of the Code;
- 3 (4) Baltimore City;
- 4 (5) A municipal corporation established or operating under Article 23A of
5 the Code;
- 6 (6) The Maryland-National Capital Park and Planning Commission;
- 7 (7) The Washington Suburban Sanitary Commission;
- 8 (8) The Northeast Maryland Waste Disposal Authority;
- 9 (9) A community college or board of trustees for a community college
10 established or operating under Title 16 of the Education Article, not including
11 Baltimore City Community College;
- 12 (10) A county public library or board of trustees of a county public library
13 established or operating under Title 23, Subtitle 4 of the Education Article;
- 14 (11) The Enoch Pratt Free Library or Board of Trustees of the Enoch Pratt
15 Free Library;
- 16 (12) The Washington County Free Library or the Board of Trustees of the
17 Washington County Free Library;
- 18 (13) A special taxing district;
- 19 (14) A nonprofit community service corporation incorporated under
20 [Maryland] STATE law that is authorized to collect charges or assessments;
- 21 (15) Housing authorities created under Article 44A of the Code;
- 22 (16) A sanitary district, sanitary commission, metropolitan commission,
23 or other sewer or water authority established or operating under public local law or
24 public general law;
- 25 (17) The Baltimore Metropolitan Council;
- 26 (18) The Howard County Economic Development Authority;
- 27 (19) The Howard County Mental Health Authority;
- 28 (20) A commercial district management authority established by a county
29 or municipal corporation if provided under local law;
- 30 (21) The Baltimore City Police Department; [and]
- 31 (22) A regional library resource center or a cooperative library corporation
32 established under Title 23, Subtitle 2 of the Education Article; AND

1 (23) A NONPROFIT ENTITY INCORPORATED UNDER STATE LAW THAT IS
2 AUTHORIZED TO MANAGE AND OPERATE A MUNICIPAL MARKET FACILITY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.