

SENATE BILL 855

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2004 Regular Session
4r3086
CF 4r3105

By: **Senator Astle**

Introduced and read first time: February 20, 2004

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Department of General Services - Leasing of Property and Land Acquisition**

3 FOR the purpose of providing that certain provisions of law relating to the lease of
4 property by the State do not apply to lease transactions in which the federal
5 government is the lessor; providing that certain provisions of law relating to
6 land acquisition by the State do not apply to the acquisition of land from the
7 federal government; and generally relating to the leasing of property and land
8 acquisition by the State.

9 BY repealing and reenacting, with amendments,
10 Article - State Finance and Procurement
11 Section 4-318 and 4-402
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2003 Supplement)

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

16 **Article - State Finance and Procurement**

17 4-318.

18 This Part III of this subtitle does not apply to:

- 19 (1) intergovernmental lease transactions;
- 20 (2) lease transactions involving property located outside the State;
- 21 (3) lease transactions declared by the Secretary to be necessary because
22 of an emergency;
- 23 (4) lease transactions where the State is the lessor; [or]
- 24 (5) lease transactions involving less than 2,500 square feet of property;

25 OR

1 (6) LEASE TRANSACTIONS IN WHICH THE FEDERAL GOVERNMENT IS
2 THE LESSOR.

3 4-402.

4 (a) (1) Except as provided in § 4-409 of this subtitle, this subtitle does not
5 apply to any public improvement made by:

6 (i) the Department of Transportation or a unit in that Department;

7 (ii) any housing authority created under Article 44A of the Code;

8 (iii) the Maryland-National Capital Park and Planning
9 Commission;

10 (iv) the Washington Suburban Sanitary Commission;

11 (v) the Baltimore County Metropolitan District;

12 (vi) a county, municipal corporation, or unit of a county or municipal
13 corporation; or

14 (vii) the University System of Maryland.

15 (2) Except as provided in §§ 4-406, 4-410, and 4-410.1 of this subtitle or
16 as otherwise provided by law, St. Mary's College of Maryland and Morgan State
17 University are subject to the provisions of this subtitle.

18 (3) THIS SUBTITLE DOES NOT APPLY TO THE ACQUISITION OF LAND
19 FROM THE FEDERAL GOVERNMENT.

20 (b) The Board of Public Works may exempt specific projects of a unit of the
21 State government from the provisions of this subtitle.

22 (c) The Board of Public Works shall adopt regulations in accordance with Title
23 10, Subtitle 1 of the State Government Article establishing procedures for the
24 exemption of specific projects of units of State government under subsection (b) of this
25 section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2004.