
By: **Delegate James**
 Introduced and read first time: February 9, 2006
 Assigned to: Appropriations and Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transfer of State Real Property - Long-Term Lease of Protected Lands**

3 FOR the purpose of prohibiting the Secretary of General Services from approving a
4 lease of a certain duration for certain real property until certain information is
5 provided to certain committees for review and comment and a certain time
6 period has elapsed; and generally relating to the lease of State-owned real
7 property.

8 BY repealing and reenacting, with amendments,
9 Article - State Finance and Procurement
10 Section 10-305(d)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2005 Supplement)

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

15 **Article - State Finance and Procurement**

16 10-305.

17 (d) (1) Whenever any unit of the State government leases any State-owned
18 property under its jurisdiction and control to any State employee, agent, or servant,
19 or to any other individual in State service, for the purpose of permitting the
20 individual to maintain a residence on or in the property, the lease shall be:

21 (i) executed by the unit; and

22 (ii) approved by the Secretary of General Services.

23 (2) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE lease
24 is not valid unless the Secretary of General Services approves it.

25 (3) (I) THIS PARAGRAPH APPLIES TO A LEASE OF REAL PROPERTY FOR
26 A DURATION OF AT LEAST 20 YEARS, INCLUDING ANY OPTIONS TO RENEW THE
27 LEASE, IF THE REAL PROPERTY IS:

1 1. IDENTIFIED UNDER § 5-310(C)(1) OF THIS ARTICLE; OR

2 2. OWNED BY THE UNIVERSITY SYSTEM OF MARYLAND.

3 (II) THE SECRETARY OF GENERAL SERVICES MAY NOT APPROVE
4 THE LEASE OF ANY REAL PROPERTY UNDER THIS PARAGRAPH UNTIL:

5 1. A DESCRIPTION OF THE REAL PROPERTY AND TERMS OF
6 THE LEASE HAVE BEEN PROVIDED BY ELECTRONIC MAIL OR FACSIMILE AND BY
7 FIRST-CLASS MAIL TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE
8 HOUSE APPROPRIATIONS COMMITTEE FOR REVIEW AND COMMENT; AND

9 2. 45 DAYS HAVE ELAPSED SINCE THE DESCRIPTION AND
10 TERMS OF THE LEASE WERE PROVIDED TO THE COMMITTEES.

11 [(3)] (4) Whenever any unit of the State government leases any
12 State-owned property under its jurisdiction and control to any lessee, the lease shall
13 include a provision which prohibits the lessee from assigning or subleasing that
14 property without the prior approval of the Board of Public Works.

15 [(4)] (5) Whenever the State Highway Administration leases any
16 State-owned property under its jurisdiction and control to any person, the
17 Administrator of the State Highway Administration may execute the lease if:

18 (i) the lease is entered into on a 30-day renewable basis; and

19 (ii) the duration of the tenancy does not exceed 1 year.

20 [(5)] (6) At least twice each year, the Administrator of the State
21 Highway Administration shall submit a report of the leases executed under the
22 authority granted in paragraph [(4)] (5) of this subsection to the Board of Public
23 Works.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2006.