

# HOUSE BILL 1148

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71r2352

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By: **Delegates Holmes and Barve**

Introduced and read first time: February 19, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Rent Control – Local Government Preemption**

3 FOR the purpose of prohibiting a local government from enacting, maintaining, or  
4 enforcing a law, ordinance, or regulation that is designed to control the amount  
5 of rent charged for leasing private residential or commercial property; providing  
6 that this Act does not impair the right of a local government to control  
7 residential property in which the local government has a property interest;  
8 repealing certain provisions of law authorizing Frederick County and  
9 Washington County to control the increase of rent; defining a certain term; and  
10 generally relating to the preemption of rent control by a local government.

11 BY adding to

12 Article – Real Property  
13 Section 8–119  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2006 Supplement)

16 BY repealing

17 Article 25 – County Commissioners  
18 Section 10G and 10H  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2006 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article - Real Property****8-119.**

(A) IN THIS SECTION, "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OF THE STATE.

(B) A LOCAL GOVERNMENT MAY NOT ENACT, MAINTAIN, OR ENFORCE A LAW, ORDINANCE, OR REGULATION THAT IS DESIGNED TO CONTROL THE AMOUNT OF RENT CHARGED FOR LEASING PRIVATE RESIDENTIAL OR COMMERCIAL PROPERTY.

(C) THIS SECTION DOES NOT IMPAIR THE RIGHT OF A LOCAL GOVERNMENT TO MANAGE AND CONTROL RESIDENTIAL PROPERTY IN WHICH THE LOCAL GOVERNMENT HAS A PROPERTY INTEREST.

**Article 25 - County Commissioners****[10G.**

In Washington County, the County Commissioners may enact laws or adopt regulations to control the increase of rent in that county.]

**[10H.**

In Frederick County, the County Commissioners may enact laws or adopt regulations to control the increase of rent in that county.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.