

SENATE BILL 85

F1

8lr0651

By: **Senator Glassman**

Introduced and read first time: January 16, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **School Construction – State Superintendent Approval – Exemption**

3 FOR the purpose of exempting certain school construction projects funded without
4 State funds from the requirement of approval by the State Superintendent of
5 Schools; and generally relating to the exemption of school construction projects
6 from State Superintendent approval.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 2–303(f) and 4–115(b)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 Supplement)

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

14 **Article – Education**

15 2–303.

16 (f) (1) **THIS SUBSECTION DOES NOT APPLY IF STATE FUNDS HAVE**
17 **NOT BEEN PROVIDED AND WILL NOT BE PROVIDED FOR THE PROJECTS IN THIS**
18 **SUBSECTION.**

19 [(1)] (2) Subject to the bylaws, rules, and regulations of the State Board,
20 the State Superintendent shall approve or disapprove each:

21 (i) Proposal for the purchase or sale of any ground, school site,
22 or building;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Plan or specification for the remodeling of a school building
2 if the remodeling costs more than \$350,000;

3 (iii) Plan or specification for the construction of a new school
4 building; and

5 (iv) Change order that costs more than \$25,000 for the
6 remodeling, restoration, or construction of a school building.

7 [(2)] (3) If the State Superintendent disapproves any plan,
8 specification, proposal, or change order, he shall state in writing the reasons for his
9 disapproval.

10 [(3)] (4) If the construction is to be done by a county board, the board
11 may not begin until the plans and specifications are approved in writing by the State
12 Superintendent.

13 [(4)] (5) If the construction is to be done by contract, the contract is
14 invalid without the written approval of the State Superintendent.

15 4-115.

16 (b) (1) With the approval of the State Superintendent, **AND EXCEPT AS**
17 **PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, each county board may:

18 [(1)] (I) Buy or otherwise acquire land, school sites, or buildings; and

19 [(2)] (II) Rent, repair, improve, and build school buildings or approve
20 contracts for doing so, if the plans conform to the bylaws, rules, and regulations of the
21 State Board.

22 (2) **IF STATE FUNDS HAVE NOT BEEN PROVIDED AND WILL NOT**
23 **BE PROVIDED FOR THE PROJECTS IN PARAGRAPH (1) OF THIS SUBSECTION, THE**
24 **APPROVAL OF THE STATE SUPERINTENDENT IS NOT REQUIRED.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2008.