

SENATE BILL 379

F3, L2

8lr0544

By: **Senators Zirkin and Stone**

Introduced and read first time: January 30, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Wireless Telecommunications Towers – Prohibition on**
3 **School System Property**

4 FOR the purpose of prohibiting the siting of wireless telecommunications towers on
5 certain public school property in Baltimore County; and generally relating to
6 wireless telecommunications towers and the use of public school property in
7 Baltimore County.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 4–114
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)

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

15 **Article – Education**

16 4–114.

17 (a) All property granted, conveyed, devised, or bequeathed for the use of a
18 particular public school or school system:

19 (1) Except as provided in subsection (c) of this section, shall be held in
20 trust for the benefit of the school or school system by the appropriate county board or,
21 for real property in Baltimore City, by the Mayor and City Council of Baltimore; and

22 (2) Is exempt from all State and local taxes.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Money invested in trust for the benefit of the public schools for any
2 county or city is exempt from all State and local taxes.

3 (c) (1) A private entity may hold title to property used for a particular
4 public school or local school system if the private entity is contractually obligated to
5 transfer title to the appropriate county board on a specified date.

6 (2) The conveyance of title of school property to a private entity for a
7 specified term under this subsection may not be construed to prohibit the allocation of
8 construction funds to an approved school construction project under the Public School
9 Construction Program.

10 (3) A county or county board may convey or dispose of surplus land
11 under the jurisdiction of the county or county board in exchange for public school
12 construction or development services.

13 **(D) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, PROPERTY**
14 **GRANTED, CONVEYED, DEvised, OR BEQUEATHED FOR THE USE OF THE**
15 **BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM MAY NOT BE USED AS A SITE FOR**
16 **A WIRELESS TELECOMMUNICATIONS TOWER.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2008.