

HOUSE BILL 1239

N1, L6

9lr2046

By: **Delegate Malone**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Rent Control – Local Government Authority**

3 FOR the purpose of prohibiting a local government from enacting a law, ordinance, or
4 regulation that is designed to control the amount of rent charged for leasing
5 private residential or commercial property; clarifying that this Act does not
6 impair the right of a local government to manage and control residential
7 property in which the local government has a property interest; defining a
8 certain term; providing for the application of this Act; and generally relating to
9 the authority of local governments to control rent.

10 BY adding to

11 Article – Real Property

12 Section 8–119

13 Annotated Code of Maryland

14 (2003 Replacement Volume and 2008 Supplement)

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

17 **Article – Real Property**

18 **8–119.**

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
5 construed to apply only prospectively and may not be applied or interpreted to have
6 any effect on or application to the authority of a local government to amend or enforce
7 a local law, ordinance, or regulation designed to control the amount of rent charged for
8 leasing private residential or commercial property that is enacted before the effective
9 date of this Act.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.