

# HOUSE BILL 733

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By: **The Speaker (By Request – Department of Legislative Services – Code Revision)**

Introduced and read first time: February 5, 2013

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Local Government – Cross-References and Corrections**

3 FOR the purpose of correcting certain cross-references to the Local Government  
4 Article in the Annotated Code of Maryland; correcting certain errors and  
5 omissions in and relating to the Local Government Article; clarifying the  
6 application of certain provisions; making certain conforming changes; deleting  
7 certain obsolete references; providing for the construction and effect of certain  
8 provisions of the Local Government Article; making stylistic changes; and  
9 generally relating to the Local Government Article and cross-references and  
10 corrections to it.

11 BY repealing and reenacting, with amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 15–109(b)  
14 Annotated Code of Maryland  
15 (2011 Replacement Volume and 2012 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Business Occupations and Professions  
18 Section 1–203(b)  
19 Annotated Code of Maryland  
20 (2010 Replacement Volume and 2012 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – Business Regulation  
23 Section 1–204(b)  
24 Annotated Code of Maryland  
25 (2010 Replacement Volume and 2012 Supplement)

26 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Article – Courts and Judicial Proceedings  
2 Section 4–401(10)(i), (vi), (ix), and (xiii), 5–114(a)(5), 5–301(d)(1), (2), (3), and  
3 (5), 6–410(b)(1), 7–409(a)(2)(xvi), 7–501(c), and 12–401(d)(1)  
4 Annotated Code of Maryland  
5 (2006 Replacement Volume and 2012 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 10–110(j)(1)(ii) and 13–302(m)  
9 Annotated Code of Maryland  
10 (2012 Replacement Volume and 2012 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article – Criminal Procedure  
13 Section 13–104 and 15–414(e)(2)(ii)  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2012 Supplement)
- 16 BY repealing and reenacting, with amendments,  
17 Article – Economic Development  
18 Section 10–111(a), 10–340(g)(1), 10–508(a)(3), 12–112(b), 12–115, 12–205(d)(3),  
19 12–304(d)(1), and 12–308(d)(3)  
20 Annotated Code of Maryland  
21 (2008 Volume and 2012 Supplement)
- 22 BY repealing and reenacting, with amendments,  
23 Article – Education  
24 Section 3–203(a)(1)(i), 4–306.2(p)(1), and 5–602(d), (g), and (j)  
25 Annotated Code of Maryland  
26 (2008 Replacement Volume and 2012 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Article – Election Law  
29 Section 2–204(a)(1), 6–102(b), 7–101(7) and (8), 7–102(f)(2), 9–104(h), and  
30 13–604(d)(2)  
31 Annotated Code of Maryland  
32 (2010 Replacement Volume and 2012 Supplement)
- 33 BY repealing and reenacting, with amendments,  
34 Article – Environment  
35 Section 9–206(d)(1), 9–505(a)(1), 9–506(a)(1)(ii), 9–697(d), 9–1608(c), 9–1614(b),  
36 and 15–504(a)(2)(iii)  
37 Annotated Code of Maryland  
38 (2007 Replacement Volume and 2012 Supplement)
- 39 BY repealing and reenacting, with amendments,  
40 Article – Estates and Trusts

1 Section 2-108(b)  
2 Annotated Code of Maryland  
3 (2011 Replacement Volume and 2012 Supplement)

4 BY repealing and reenacting, with amendments,  
5 Article – Financial Institutions  
6 Section 7-116 and 7-223  
7 Annotated Code of Maryland  
8 (2011 Replacement Volume and 2012 Supplement)

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 14-402(a)(2)  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2012 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Housing and Community Development  
16 Section 4-231(c)(1), 4-239(d)(6), 4-247(b)(6), 4-1608(a)(2), and 4-1609(a)  
17 Annotated Code of Maryland  
18 (2006 Volume and 2012 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Labor and Employment  
21 Section 9-404(a)(2)  
22 Annotated Code of Maryland  
23 (2008 Replacement Volume and 2012 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article – Land Use  
26 Section 1-101(c) and (d), 1-204(a), 1-206, 1-207(a), 1-301(2), 1-302(4), 1-402,  
27 1-501, 5-104(a)(5)(ii), 9-1607(b), 9-1608(b), 11-206, 17-208(g),  
28 18-211, 22-403(a)(1), and 23-102(c)  
29 Annotated Code of Maryland  
30 (2012 Volume)

31 BY repealing and reenacting, with amendments,  
32 Article – Natural Resources  
33 Section 3-107(b), 3-122(b)(1) and (4), 3-908(d), 3-915, 5-307(h), and  
34 8-1103(i)(2)  
35 Annotated Code of Maryland  
36 (2012 Replacement Volume)

37 BY repealing and reenacting, with amendments,  
38 Article – Public Safety  
39 Section 12-1004(c)  
40 Annotated Code of Maryland

1 (2011 Replacement Volume and 2012 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Public Utilities  
4 Section 22–204(b), 29–101(h), and 29–102(g)  
5 Annotated Code of Maryland  
6 (2010 Replacement Volume and 2012 Supplement)

7 BY repealing and reenacting, with amendments,  
8 Article – Real Property  
9 Section 10–704(a), 10–706(b), 10–707(b), and 11B–104(c)  
10 Annotated Code of Maryland  
11 (2010 Replacement Volume and 2012 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – State Finance and Procurement  
14 Section 5–606(b), 6–222(a)(8), 8–117(c), and 8–202  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume and 2012 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – State Government  
19 Section 2–1220(d)(1)(i), 2–1237(a)(14), 15–802, and 15–853(d)(4)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume and 2012 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – Tax – General  
24 Section 4–103(a)(4) and 11–102(c)(1)(iii)  
25 Annotated Code of Maryland  
26 (2010 Replacement Volume and 2012 Supplement)

27 BY repealing and reenacting, with amendments,  
28 Article – Tax – Property  
29 Section 7–243 and 9–102(a)(3)  
30 Annotated Code of Maryland  
31 (2012 Replacement Volume)

32 BY repealing and reenacting, with amendments,  
33 Article – Transportation  
34 Section 5–419(c), 8–610(h), and 8–630(a)(2)  
35 Annotated Code of Maryland  
36 (2008 Replacement Volume and 2012 Supplement)

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

1                                   **Article 2B – Alcoholic Beverages**

2   15–109.

3           (b)    In Allegany County the annual salary of the members of the Board of  
4 License Commissioners shall be set by the County Commissioners in accordance with  
5 [Article 24, Title 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE 1 OF THE LOCAL**  
6 **GOVERNMENT ARTICLE.**

7                                   **Article – Business Occupations and Professions**

8   1–203.

9           (b)    Except as otherwise provided in this article or [Article 24, Title 11 of the  
10 Code] **TITLE 13, SUBTITLE 1 AND SUBTITLE 3, PART I AND §§ 13–205 AND**  
11 **16–115 OF THE LOCAL GOVERNMENT ARTICLE AND TITLE 17, SUBTITLE 4,**  
12 **PARTS V AND VI OF THE BUSINESS REGULATION ARTICLE,** a county, municipal  
13 corporation, or other political subdivision of the State may not:

14                   (1)    require a local license in that county, municipal corporation, or  
15 political subdivision to engage in a business or occupation for which a State license is  
16 required under this article; or

17                   (2)    impose a local fee or tax to engage in a business or occupation for  
18 which a State license is required under this article.

19                                   **Article – Business Regulation**

20   1–204.

21           (b)    Except as otherwise provided in this article or [Article 24, Title 11 of the  
22 Code] **TITLE 13, SUBTITLE 1 AND SUBTITLE 3, PART I AND §§ 13–205 AND**  
23 **16–115 OF THE LOCAL GOVERNMENT ARTICLE,** a county, municipal corporation,  
24 or other political subdivision of the State may not:

25                   (1)    require a local license in that county, municipal corporation, or  
26 political subdivision to engage in a business or occupation for which a State license is  
27 required under this article; or

28                   (2)    impose a local fee or tax to engage in a business or occupation for  
29 which a State license is required under this article.

30                                   **Article – Courts and Judicial Proceedings**

31   4–401.

1 Except as provided in § 4–402 of this subtitle, and subject to the venue  
2 provisions of Title 6 of this article, the District Court has exclusive original civil  
3 jurisdiction in:

4 (10) A proceeding for adjudication of:

5 (i) A municipal infraction as [defined in Article 23A, § 3(b)(1) of  
6 the Code] **DESCRIBED IN § 6–102 OF THE LOCAL GOVERNMENT ARTICLE;**

7 (vi) A violation of an ordinance enacted:

8 1. By a charter county for which a civil penalty is  
9 provided under [Article 25A, § 5(A) of the Code] **§ 10–202 OF THE LOCAL**  
10 **GOVERNMENT ARTICLE;**

11 2. By the Mayor and City Council of Baltimore for which  
12 a civil penalty is provided by ordinance; or

13 3. By a code county for which a civil citation is issued  
14 under [Article 25B, § 13C–1 of the Code] **TITLE 11, SUBTITLE 3 OF THE LOCAL**  
15 **GOVERNMENT ARTICLE;**

16 (ix) A violation of an ordinance or regulation enacted by a county  
17 without home rule, under authority granted under [Article 25 of the Code] **THE**  
18 **LOCAL GOVERNMENT ARTICLE**, or any provision of the Code of Public Local Laws  
19 for that county, for which a civil penalty is provided;

20 (xiii) A civil infraction relating to the storage or distribution of  
21 tobacco products under [Article 24, Title 15 of the Code] **TITLE 1, SUBTITLE 12 OF**  
22 **THE LOCAL GOVERNMENT ARTICLE;**

23 5–114.

24 (a) (5) “Local government” means:

25 (i) A [chartered] **CHARTER** county [established under Article  
26 25A of the Code] **AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE;**

27 (ii) A code county [established under Article 25B of the Code]  
28 **AS DEFINED IN § 1–101 OF THE LOCAL GOVERNMENT ARTICLE;**

29 (iii) A board of county commissioners [established or operating  
30 under Article 25 of the Code];

31 (iv) Baltimore City;

1 (v) A [municipal corporation established or operating under  
2 Article 23A of the Code] **MUNICIPALITY AS DEFINED IN § 1-101 OF THE LOCAL  
3 GOVERNMENT ARTICLE;**

4 (vi) A special taxing district; or

5 (vii) Any other political subdivision.

6 5-301.

7 (d) “Local government” means:

8 (1) A [chartered] **CHARTER** county [established under Article 25A of  
9 the Code] **AS DEFINED IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE;**

10 (2) A code county [established under Article 25B of the Code] **AS  
11 DEFINED IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE;**

12 (3) A board of county commissioners [established or operating under  
13 Article 25 of the Code];

14 (5) A [municipal corporation established or operating under Article  
15 23A of the Code] **MUNICIPALITY AS DEFINED IN § 1-101 OF THE LOCAL  
16 GOVERNMENT ARTICLE;**

17 6-410.

18 (b) If the custodian of public records is not known and cannot be ascertained  
19 after a reasonable effort by a party in a legal proceeding, the party may request a  
20 court to issue a subpoena for the custodian of public records to be served on:

21 (1) A resident agent designated under [Article 24, § 1-110 of the Code]  
22 **§ 1-1301 OF THE LOCAL GOVERNMENT ARTICLE** for service on a local entity;

23 7-409.

24 (a) (2) “Crime” means an act committed by a person in the State that is:

25 (xvi) A crime under [Article 24, § 11-512, § 11-513, or § 11-514 of  
26 the Code] **§ 13-118(D), § 13-120(D), § 13-121(G), § 13-123(E), § 13-124(D), §  
27 13-129(G), § 13-131(C), OR § 13-133(D) OF THE LOCAL GOVERNMENT  
28 ARTICLE;**

29 7-501.

1 (c) (1) “Crime” means any act or omission for which a statute or  
2 ordinance imposes a fine or imprisonment.

3 (2) “Crime” does not include a municipal infraction under [Article 23A,  
4 § 3 of the Code] **TITLE 6 OF THE LOCAL GOVERNMENT ARTICLE.**

5 12–401.

6 (d) (1) A defendant who has been found guilty of a municipal infraction,  
7 as [defined in Article 23A, § 3(b)(1) of the Code] **DESCRIBED IN § 6–102 OF THE**  
8 **LOCAL GOVERNMENT ARTICLE** or a Code violation under § 10–119 of the Criminal  
9 Law Article, may appeal from the final judgment entered in the District Court.

10 **Article – Criminal Law**

11 10–110.

12 (j) (1) The legislative body of a municipal corporation may:

13 (ii) classify littering as a municipal infraction under [Article  
14 23A, § 3(b) of the Code] **TITLE 6 OF THE LOCAL GOVERNMENT ARTICLE.**

15 13–302.

16 (m) The Board of County Commissioners may adopt an ordinance or  
17 resolution declaring that a violation of this section or a rule or regulation adopted  
18 under this section is:

19 (1) a civil infraction under [Article 25B, § 13C of the Code] **TITLE 11,**  
20 **SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE;** or

21 (2) a misdemeanor punishable by a term of imprisonment not  
22 exceeding 30 days or a fine not exceeding \$1,000 or both.

23 **Article – Criminal Procedure**

24 13–104.

25 Pending final disposition, the financial authority shall account for and deposit  
26 seized money in an interest-bearing bank account or invest the seized money in  
27 accordance with [Article 95 of the Code] **TITLE 17 OF THE LOCAL GOVERNMENT**  
28 **ARTICLE.**

29 15–414.

30 (e) (2) The financial audit shall be:



1 (ii) included in the annual audit of the county required by  
2 [Article 19, § 40 of the Code] §§ 16-305 THROUGH 16-308 OF THE LOCAL  
3 GOVERNMENT ARTICLE.

4 Article – Economic Development

5 10-111.

6 (a) (1) Except as otherwise provided in this section, in exercising its  
7 powers, the Corporation:

8 (i) may carry out its corporate purposes without the consent of  
9 any State unit; and

10 (ii) is not subject to:

11 1. Title 12, Subtitles 1 through 3 of this article;

12 2. THE FOLLOWING PROVISIONS OF THE LOCAL  
13 GOVERNMENT ARTICLE:

14 A. TITLE 18, SUBTITLE 1 (PARKING AUTHORITIES  
15 ACT); AND

16 B. TITLE 18, SUBTITLE 2 (OCEAN CITY  
17 CONVENTION CENTER);

18 [2.] 3. the following provisions of the State Finance and  
19 Procurement Article:

20 A. Title 2, Subtitles 2 (Gifts and Grants), 4 (Water and  
21 Sewerage Systems), and 5 (Facilities for the Handicapped);

22 B. Title 3 (Budget and Management);

23 C. Title 4 (Department of General Services);

24 D. Title 5A (Division of Historical and Cultural  
25 Programs);

26 E. Title 6, Subtitle 1 (Studies and Estimates);

27 F. Title 7, Subtitles 1 (State Operating Budget), 2  
28 (Disbursements and Expenditures), and 3 (Unspent Balances);

1 G. §§ 8–127, 8–128, and 8–129 (certain restrictions on  
2 State general obligation bonds);

3 H. Title 8, Subtitle 1, Part V (State Revenue Anticipation  
4 Notes);

5 I. Title 10 (Board of Public Works – Miscellaneous  
6 Provisions); and

7 J. Division II (General Procurement Law);

8 [3.] 4. the following provisions of the State  
9 Government Article:

10 A. Title 9, Subtitles 10 (State Archives and Artistic  
11 Property) and 17 (Maryland State Employees Surety Bond Committee);

12 B. §§ 10–505 and 10–507 (certain open meetings  
13 provisions); and

14 C. Title 11 (Consolidated Procedures for Development  
15 Permits); and

16 [4.] 5. Article 41 of the Code.

17 (2) The Corporation is subject to the Public Information Act.

18 10–340.

19 (g) (1) “Public obligation” means a bond, note, evidence of indebtedness,  
20 or other obligation, to repay borrowed money issued by the Authority, the State, a  
21 unit, instrumentality, or public corporation of the State, [a public body as defined in  
22 Article 31, § 9 of the Code] **A GOVERNMENTAL ENTITY DESCRIBED IN § 19–205(A)**  
23 **OF THE LOCAL GOVERNMENT ARTICLE**, a county, or a municipal corporation.

24 10–508.

25 (a) The Corporation is exempt from:

26 (3) [Article 31, §§ 9, 10, and 11 of the Code] **§§ 19–205 AND 19–206**  
27 **OF THE LOCAL GOVERNMENT ARTICLE** (Conditions upon Sale of Public Securities).

28 12–112.

29 (b) A bond is not subject to the limitations of [Article 31, §§ 9, 10, and 11 of  
30 the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE**.

1 12-115.

2 Instead of the procedures under this subtitle, a municipal corporation, by  
3 charter amendment adopted under [Article 23A of the Code] **TITLE 4, SUBTITLE 3**  
4 **OF THE LOCAL GOVERNMENT ARTICLE**, or a charter county, by charter  
5 amendment adopted under Article XI-A of the Maryland Constitution, may provide for  
6 the issuance of revenue bonds under the terms and conditions that the municipal  
7 corporation or charter county considers appropriate to achieve the legislative purposes  
8 of this subtitle.

9 12-205.

10 (d) (3) Bonds are exempt from [Article 31, §§ 9, 10, and 11 of the Code] §§  
11 **19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE**.

12 12-304.

13 (d) (1) This subsection does not apply to a county that is [subject to  
14 Article 25A or Article 25B of the Code] **A CHARTER COUNTY, AS DEFINED IN §**  
15 **1-101 OF THE LOCAL GOVERNMENT ARTICLE, OR A CODE COUNTY, AS DEFINED**  
16 **IN § 1-101 OF THE LOCAL GOVERNMENT ARTICLE**.

17 12-308.

18 (d) (3) A bond is not subject to [Article 31, §§ 9, 10, and 11 of the Code] §§  
19 **19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE**.

20 **Article - Education**

21 3-203.

22 (a) (1) Except for the ex officio member, each elected county board  
23 member is entitled to:

24 (i) An annual salary set by the Allegany County Commissioners  
25 in accordance with [Article 24, Title 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE**  
26 **1 OF THE LOCAL GOVERNMENT ARTICLE**; and

27 4-306.2.

28 (p) (1) The board may provide, from time to time, for the issuance and  
29 sale of bond anticipation notes in accordance with the procedures set forth in [Article  
30 31, § 12 of the Code] **TITLE 19, SUBTITLE 2, PART III OF THE LOCAL**  
31 **GOVERNMENT ARTICLE** for the issuance of bonds.

1 5-602.

2 (d) The bonds shall:

3 (1) Be dated and bear interest at a rate specified in the resolution;

4 (2) Mature within 30 years of the date of issuance of the bonds;

5 (3) Be issued at, above, or below par value, for cash or other  
6 consideration;

7 (4) Be payable at a time, in the denomination, in registered form,  
8 within the meaning of [Article 31, § 30 of the Code] **§ 19-204 OF THE LOCAL**  
9 **GOVERNMENT ARTICLE**, as specified in the resolution;

10 (5) Carry the registration and privileges as to conversion and for the  
11 replacement of mutilated, lost, or destroyed bonds, as specified in the resolution;

12 (6) Be payable in lawful money of the United States of America at a  
13 designated place;

14 (7) Be subject to the terms and conditions specified in the resolution;  
15 and

16 (8) Be sold in the manner, including private or negotiated sale, and  
17 upon the terms, specified in the resolution.

18 (g) The bonds, their issue, and their sale may be exempt from the provisions  
19 of [Sections 9, 10, and 11 of Article 31 of the Code] **§§ 19-205 AND 19-206 OF THE**  
20 **LOCAL GOVERNMENT ARTICLE**.

21 (j) Before the preparation of bonds, the county may issue bond anticipation  
22 notes in accordance with [Article 31, § 12 of the Code] **TITLE 19, SUBTITLE 2, PART**  
23 **III OF THE LOCAL GOVERNMENT ARTICLE**.

24 **Article – Election Law**

25 2-204.

26 (a) Each regular member of a local board shall receive the salary and  
27 reimbursement of expenses provided in the county budget, but in no event may the  
28 annual compensation be less than the following amounts:

29 (1) in Allegany County, the amount set by the County Commissioners  
30 under [Article 24, Title 12, Subtitle 1 of the Code] **ARTICLE 28, SUBTITLE 1 OF THE**  
31 **LOCAL GOVERNMENT ARTICLE**;

1 6–102.

2 (b) This title does not apply to a petition filed pursuant to [Article 23A of the  
3 Code] **DIVISION II OF THE LOCAL GOVERNMENT ARTICLE**.

4 7–101.

5 This title applies to the following types of ballot questions:

6 (7) a question on an enactment of a charter county pursuant to  
7 [Article 25A, § 8 of the Code] **§ 9–205 OF THE LOCAL GOVERNMENT ARTICLE** or a  
8 code county pursuant to [Article 25B, § 10 of the Code] **§§ 9–310 THROUGH 9–313 OF**  
9 **THE LOCAL GOVERNMENT ARTICLE**;

10 (8) a question relating to the incorporation of a new municipality  
11 pursuant to [Article 23A, § 21 of the Code] **§ 4–204 OF THE LOCAL GOVERNMENT**  
12 **ARTICLE**;

13 7–102.

14 (f) (2) A question on an enactment by a code county qualifies pursuant to  
15 local law and [Article 25B, § 10 of the Code] **§§ 9–310 THROUGH 9–313 OF THE**  
16 **LOCAL GOVERNMENT ARTICLE**.

17 9–104.

18 (h) [Article 31, §§ 9 through 11 of the Code] **SECTIONS 19–205 AND 19–206**  
19 **OF THE LOCAL GOVERNMENT ARTICLE** do not apply to bonds issued under this  
20 section.

21 13–604.

22 (d) (2) The trial in the District Court shall be conducted in the same  
23 manner as set forth for municipal infractions under [Article 23A, § 3(b)(8) through (15)  
24 of the Code] **§§ 6–108, 6–109, AND 6–111 THROUGH 6–115 OF THE LOCAL**  
25 **GOVERNMENT ARTICLE**.

26 **Article – Environment**

27 9–206.

28 (d) Subsections (f) through (i) and subsection (l) of this section do not:

1 (1) Affect a local transfer of development rights program authorized  
2 under [Article 25A, § 5(X) of the Code] **§ 10-324 OF THE LOCAL GOVERNMENT**  
3 **ARTICLE** or Title 7, Subtitle 2 or § 22-105 of the Land Use Article; or

4 9-505.

5 (a) In addition to the other requirements of this subtitle, each county plan  
6 shall:

7 (1) Provide for the orderly expansion and extension of the following  
8 systems in a manner consistent with all county and local comprehensive plans  
9 prepared under Title 1, Subtitle 4, Title 3, or Title 21 of the Land Use Article, [Article  
10 25A, § 5(X) of the Code, and Article 25B, § 13 of the Code] **§ 10-324 OF THE LOCAL**  
11 **GOVERNMENT ARTICLE:**

12 (i) Community water supply systems and multiuse water  
13 supply systems;

14 (ii) Community sewerage systems and multiuse sewerage  
15 systems; and

16 (iii) Solid waste disposal systems and solid waste acceptance  
17 facilities;

18 9-506.

19 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection,  
20 before a county governing body may adopt a county plan or a revision or amendment  
21 to the county plan:

22 (ii) The county planning agency shall certify that the plan,  
23 revision, or amendment is consistent with the county comprehensive plan prepared  
24 under Title 1, Subtitle 4 or Title 3 of the Land Use Article, [Article 25A, § 5(X) of the  
25 Code, or Article 25B, § 13 of the Code] **§ 10-324 OF THE LOCAL GOVERNMENT**  
26 **ARTICLE.**

27 9-697.

28 (d) The provisions of [Article 31, §§ 9 through 11 of the Code] **§§ 19-205**  
29 **AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE** do not apply to bonds issued  
30 under this subtitle.

31 9-1608.

32 (c) The bonds shall be exempt from the provisions of [§§ 10 and 11 of Article  
33 31] **§§ 19-205 AND 19-206 OF THE LOCAL GOVERNMENT ARTICLE** of the

1 Annotated Code of Maryland and §§ 8–206 and 8–208 of the State Finance and  
2 Procurement Article, and the Administration may sell such bonds in such manner,  
3 either at public or at private sale, and for such price as it may determine.

4 9–1614.

5 (b) Notwithstanding any other provision of public general or public local law,  
6 charter, or ordinance regulating the creation of public debts or the making of  
7 contracts, a local government may enter into a loan agreement with the  
8 Administration for the purpose of financing all or a portion of the cost of a wastewater  
9 facility or water supply system. The express powers contained and enumerated in  
10 [Articles 23A, 25A, and 25B of the Annotated Code of Maryland] **TITLES 5 AND 10 OF**  
11 **THE LOCAL GOVERNMENT ARTICLE** and in the charter of the City of Baltimore are  
12 deemed to incorporate and include the power and authority contained in this section.

13 15–504.

14 (a) (2) (iii) The county fiscal authority shall notify the Department in  
15 writing by no later than December 15 of those open-pit mining operators who have not  
16 paid all of their county coal severance taxes and surcharges, including any interest  
17 and penalties for late payment, that are due through the previous month of November,  
18 as provided under [Article 24, §§ 9–501, 9–502, and 9–509 of the Code] **§§ 20–301**  
19 **THROUGH 20–303 AND 20–308 OF THE LOCAL GOVERNMENT ARTICLE** and §  
20 15–509 of this subtitle. The county fiscal authority shall send this notice of  
21 nonpayment to the affected operator at the same time that the county fiscal authority  
22 notifies the Department. In the absence of this notification, the Department shall  
23 presume that all coal severance taxes and surcharges, including any interest and  
24 penalties for late payment, have been paid. The Department may not renew a person’s  
25 open-pit mining operator’s license unless all of that person’s county coal severance  
26 taxes and surcharges, including any interest and penalties for late payment, that are  
27 due through the previous month of November have been paid.

## 28 Article – Estates and Trusts

29 2–108.

30 (b) Each of the judges of the Court for Allegany County shall receive an  
31 annual salary set by the County Commissioners in accordance with [Article 24, Title  
32 12, Subtitle 1 of the Code] **TITLE 28, SUBTITLE 1 OF THE LOCAL GOVERNMENT**  
33 **ARTICLE**. Each judge shall also receive an expense allowance in the amount of \$600  
34 annually, to be paid at the rate of \$50 monthly.

## 35 Article – Financial Institutions

36 7–116.





1                   **Article – Housing and Community Development**

2    4–231.

3           (c)   (1)   A local obligation that an issuer issues under this part shall have  
4 all the attributes of a negotiable instrument under [Article 31, § 8 of the Code] §  
5 **19–224 OF THE LOCAL GOVERNMENT ARTICLE.**

6    4–239.

7           (d)   (6)   Notwithstanding any other law, a loan to a mortgage lender and  
8 the collateral for it are not subject to [Article 95, § 22 of the Code] §§ **17–101 AND**  
9 **17–102 OF THE LOCAL GOVERNMENT ARTICLE** or to § 6–202, § 6–205, § 6–206, §  
10 6–209, or § 6–210 of the State Finance and Procurement Article.

11   4–247.

12           (b)   A trust agreement or a determination authorizing the issuance of bonds  
13 or notes may contain:

14                   (6)   provisions on investments of money of the Administration as the  
15 Administration provides, notwithstanding [Article 95, § 22 of the Code] §§ **17–101**  
16 **AND 17–102 OF THE LOCAL GOVERNMENT ARTICLE** and §§ 6–202, 6–205, 6–206,  
17 6–209, and 6–210 of the State Finance and Procurement Article;

18   4–1608.

19           (a)   (2)   The bonds are not subject to [Article 31, §§ 9, 10, and 11 of the  
20 Code] §§ **19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

21   4–1609.

22           (a)   A covered county may issue new bonds to pay outstanding bonds in  
23 accordance with procedures of this subtitle and [Article 31, § 24 of the Code] § **19–207**  
24 **OF THE LOCAL GOVERNMENT ARTICLE.**

25                   **Article – Labor and Employment**

26    9–404.

27           (a)   (2)   Notwithstanding the local government guidelines set forth in  
28 [Article 95, § 22 of the Code] §§ **17–101 AND 17–102 OF THE LOCAL GOVERNMENT**  
29 **ARTICLE**, the guidelines required by paragraph (1)(ii) of this subsection shall:

30                   (i)   state the types of investment in which moneys may be  
31 invested;

1 (ii) include guidance for the prudent investment of moneys  
 2 based on claim experience, cash flow projections, income, liquidity, investment ratings,  
 3 and risk;

4 (iii) authorize investments of moneys in equities, provided that  
 5 investments do not exceed 30 percent of the surplus moneys;

6 (iv) provide that moneys not invested in equities shall be  
 7 invested in accordance with [Article 95, § 22 of the Code] **§§ 17–101 AND 17–102 OF**  
 8 **THE LOCAL GOVERNMENT ARTICLE**; and

9 (v) prohibit borrowing of funds for the express purpose of  
 10 investing those funds.

### 11 Article – Land Use

12 1–101.

13 (c) “Charter county” means a county that has adopted charter home rule  
 14 under Article XI–A of the Maryland Constitution [and Article 25A of the Code].

15 (d) “Code county” means a county that has adopted code home rule under  
 16 Article XI–F of the Maryland Constitution [and Article 25B of the Code].

17 1–204.

18 (a) Other public general laws that may affect land use in a local jurisdiction  
 19 under this division, Division II of this article, or otherwise, include:

20 (1) [Article 23A, §§ 2(30) and (36), 9, 19, and 19A(e) of the Code;

21 (2) Article 25, § 3 of the Code;

22 (3) Article 25A, § 5 of the Code;

23 (4) Article 25B, § 13 of the Code] **THE LOCAL GOVERNMENT**  
 24 **ARTICLE**; and

25 **[(5)] (2)** Title 8, [subtitle] **SUBTITLE 18** of the Natural Resources  
 26 Article.

27 1–206.

28 (a) (1) In this subsection, “planning commission” includes a planning  
 29 commission or board established under:

- 1 (i) Title 2 of this article;
- 2 (ii) Division II of this article; or
- 3 (iii) [Article 25A of the Code] **TITLE 10 OF THE LOCAL**  
4 **GOVERNMENT ARTICLE.**

5 (2) Within 6 months after appointment to a planning commission, a  
6 member shall complete an education course that includes education on:

- 7 (i) the role of the comprehensive plan;
- 8 (ii) if applicable, proper standards for special exceptions and  
9 variances; and
- 10 (iii) the local jurisdiction's local laws and regulations relating to  
11 zoning, planned development, subdivision, and other land use matters.

12 (3) The failure of a member to complete an education course under  
13 this subsection may not:

- 14 (i) invalidate a decision of the planning commission; or
- 15 (ii) be construed to create a private cause of action by any  
16 person.

17 (b) (1) In this subsection, "board of appeals" includes a board of appeals  
18 established under:

- 19 (i) Title 4, Subtitle 3 of this article;
- 20 (ii) § 10-403 of this article;
- 21 (iii) Division II of this article; or
- 22 (iv) [Article 25A of the Code] **TITLE 10 OF THE LOCAL**  
23 **GOVERNMENT ARTICLE.**

24 (2) Within 6 months after appointment to a board of appeals, a  
25 member shall complete an education course that includes education on:

- 26 (i) the role of the comprehensive plan;
- 27 (ii) proper standards for special exceptions and variances; and

1 (iii) the local jurisdiction's local laws and regulations relating to  
2 zoning, planned development, subdivision, and other land use matters.

3 (3) The failure of a member to complete an education course under  
4 this subsection may not:

5 (i) invalidate a decision of the board; or

6 (ii) be construed to create a private cause of action by any  
7 person.

8 1-207.

9 (a) In this section, "planning commission" includes a planning commission or  
10 board established under:

11 (1) Title 2 of this article;

12 (2) Division II of this article; or

13 (3) [Article 25A of the Code] **TITLE 10 OF THE LOCAL**  
14 **GOVERNMENT ARTICLE.**

15 1-301.

16 In this subtitle, "action" means:

17 (2) a requirement under § 9-505(a)(1) of the Environment Article and  
18 [Article 23A, § 19(o)(3)(iii) of the Code] **§ 4-415(C) OF THE LOCAL GOVERNMENT**  
19 **ARTICLE** (Municipal annexation); or

20 1-302.

21 This subtitle applies to:

22 (4) [Article 23A, § 19(o)(3)(iii) of the Code] **§ 4-414(C) OF THE**  
23 **LOCAL GOVERNMENT ARTICLE** (Annexation plan).

24 1-402.

25 (a) In addition to the powers the county may have had under this division  
26 before adopting code home rule, a code county may exercise the powers relating to land  
27 use stated in [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT**  
28 **ARTICLE.**

1 (b) A code county that chooses to exercise the powers relating to land use  
2 stated in [Article 25A of the Code] **TITLE 10 OF THE LOCAL GOVERNMENT**  
3 **ARTICLE** shall be treated as a charter county for purposes of § 1–401 of this subtitle.

4 1–501.

5 In this subtitle, “planning board”:

6 (1) means a planning board established under this article; and

7 (2) includes a planning commission or board established under  
8 Division II of this article or [Article 25A of the Code] **TITLE 10 OF THE LOCAL**  
9 **GOVERNMENT ARTICLE**.

10 5–104.

11 (a) (5) (ii) “Planning board” includes a planning commission or board  
12 established under Division II of this article or [Article 25A of the Code] **TITLE 10 OF**  
13 **THE LOCAL GOVERNMENT ARTICLE**.

14 9–1607.

15 (b) In a proceeding before the District Court, a subdivision violation shall be  
16 enforced in the same manner and to the same extent as a municipal infraction under  
17 [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH 6–115 OF THE LOCAL**  
18 **GOVERNMENT ARTICLE**.

19 9–1608.

20 (b) In a proceeding before the District Court, a zoning violation shall be  
21 enforced in the same manner and to the same extent as a municipal infraction under  
22 [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH 6–115 OF THE LOCAL**  
23 **GOVERNMENT ARTICLE**.

24 11–206.

25 In a proceeding before the District Court, a violation shall be adjudicated in the  
26 same manner and to the same extent as a municipal infraction under [Article 23A, §  
27 3(b)(7) through (15) of the Code] **§§ 6–108 THROUGH 6–115 OF THE LOCAL**  
28 **GOVERNMENT ARTICLE**.

29 17–208.

30 (g) In a proceeding for a Commission infraction before the District Court, the  
31 violation shall be prosecuted in the same manner and to the same extent as provided

1 for municipal infractions under [Article 23A, § 3(b) of the Code] **§§ 6–102 THROUGH**  
 2 **6–115 OF THE LOCAL GOVERNMENT ARTICLE.**

3 18–211.

4 The sale of the bonds under this title is exempt from [Article 31, §§ 10 and 11 of  
 5 the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE.**

6 22–403.

7 (a) (1) Notwithstanding [Article 25A, § 5(U) of the Code] **§ 10–305 OF**  
 8 **THE LOCAL GOVERNMENT ARTICLE**, judicial review of a decision by the board of  
 9 appeals on an application for a zoning variance or special exception may be requested  
 10 by any person or municipal corporation that appeared at the hearing in person, by  
 11 attorney, or in writing.

12 23–102.

13 (c) A subdivision in a municipal corporation with subdivision authority  
 14 under [Article 23A of the Code] **DIVISION II OF THE LOCAL GOVERNMENT**  
 15 **ARTICLE** that is in the regional district may be recorded in the land records of  
 16 Montgomery County or Prince George’s County if:

17 (1) the subdivision plat has been submitted to and approved by the  
 18 municipal corporation; and

19 (2) the appropriate official of the municipal corporation endorses an  
 20 approval in writing on the plat.

21 **Article – Natural Resources**

22 3–107.

23 (b) Notwithstanding any limitations or other provisions to the contrary of  
 24 [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE 9,**  
 25 **SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL**  
 26 **GOVERNMENT ARTICLE**, or of any charter or local law regulating the procurement or  
 27 awarding of public contracts, a municipality may enter into contracts with the Service  
 28 for the purpose of the Service providing any of the projects or services requested by the  
 29 municipality. As soon as possible after receipt of a duly authorized request from a  
 30 municipality or person, the Service shall draft a proposed contract with the  
 31 municipality or person in accordance with the provisions of this subtitle specifying the  
 32 type of project or services to be provided, whether or not a service district will be  
 33 established, the boundaries and effective date of any service district, and the terms,  
 34 conditions, and costs under which the project or services will be provided. Upon  
 35 execution of the contract, the Service as soon as possible shall establish any service

1 district provided for in the contract and provide, maintain, and operate the necessary  
2 project. For the purposes of this subsection, the express powers contained and  
3 enumerated in [Articles 23A, 25A, and 25B of the Code] **DIVISION II AND TITLE 10**  
4 **OF THE LOCAL GOVERNMENT ARTICLE** and in the Charter of the City of Baltimore  
5 are deemed to incorporate and include the power and authority contained in this  
6 subsection.

7 3–122.

8 (b) (1) Notwithstanding any limitations or other provisions to the  
9 contrary of [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE**  
10 **9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL**  
11 **GOVERNMENT ARTICLE**, or of any charter or local law regulating the creation of  
12 public debts, a municipality may enter into contracts with the Service for the purpose  
13 of defraying the Service's costs of acquiring or providing a solid waste disposal project,  
14 wastewater purification project, water supply project, or energy project, which costs  
15 may include debt service requirements of the Service relating to that project. These  
16 contracts shall not be deemed to constitute or create a debt of the municipality or a  
17 pledge of its faith or credit within the meaning of any of these limitations or other  
18 provisions. Such a solid waste disposal project, wastewater purification project, water  
19 supply project, or energy project may not be deemed to be a capital project of the  
20 municipality within the meaning of any of these limitations or other provisions, and a  
21 resolution, ordinance, or other official action authorizing such contracts is not subject  
22 to referendum or other procedure not applicable to all ordinances or resolutions  
23 enacted by the municipality. For the purposes of this subsection, the express powers  
24 contained and enumerated in [Articles 23A, 25A, and 25B of the Code] **DIVISION II**  
25 **AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in the Charter of the  
26 City of Baltimore are deemed to incorporate and include the power and authority  
27 contained in this subsection.

28 (4) A county or municipal corporation may exercise the powers  
29 granted under this section notwithstanding any limitations or other provisions to the  
30 contrary of [Article 23A, Article 25A, or Article 25B of the Code] **DIVISION II, TITLE**  
31 **9, SUBTITLE 2 OR SUBTITLE 3, TITLE 10, OR TITLE 11 OF THE LOCAL**  
32 **GOVERNMENT ARTICLE** or of any charter or local law.

33 3–908.

34 (d) The bonds shall be exempt from the provisions of [§§ 10 and 11 of Article  
35 31 of the Code] **§§ 19–205 AND 19–206 OF THE LOCAL GOVERNMENT ARTICLE**  
36 and §§ 8–206 and 8–208 of the State Finance and Procurement Article, and the  
37 Authority may sell such bonds in such manner, either at public or at private sale, and  
38 for such price as it may determine.

39 3–915.

1           The bonds shall not be deemed to constitute a debt, liability or a pledge of the  
2 faith and credit of the State of Maryland or of any political subdivision thereof other  
3 than the Authority, but such bonds shall be payable solely from the funds herein  
4 provided therefor. All such bonds shall contain on the face thereof a statement to the  
5 effect that neither the State of Maryland nor any political subdivision thereof other  
6 than the Authority shall be obligated to pay the same or the interest thereon except  
7 from revenues pledged thereto and that neither the faith and credit nor the taxing  
8 power of the State or any political subdivision thereof is pledged to the payment of the  
9 principal of or the interest on such bonds. The issuance of bonds under the provisions  
10 of this subtitle is not directly or indirectly or contingently an obligation, moral or  
11 other, of the State of Maryland or any political subdivision thereof to levy or pledge  
12 any form of taxation whatever therefor or to make any appropriation for their  
13 payment. Nothing contained in this section shall prevent the Authority from pledging  
14 its full faith and credit to the payment of bonds authorized pursuant to this subtitle.  
15 However, this section does not limit the ability of the State or a subdivision to set,  
16 impose, or collect an assessment, rate, fee, or charge to pay to the Authority the cost of  
17 a project, including the principal of and interest on a bond or note, under an  
18 agreement between the Authority and the State or subdivision.

19           Notwithstanding any limitations or other provisions to the contrary of [Article  
20 23A, 25A, or 25B of the Code] **DIVISION II, TITLE 9, SUBTITLE 2 OR SUBTITLE 3,**  
21 **TITLE 10, OR TITLE 11 OF THE LOCAL GOVERNMENT ARTICLE**, or of any charter  
22 or local law regulating the creation of public debts, a subdivision may enter into  
23 contracts with the Authority for the purpose of defraying the Authority's costs of  
24 acquiring, constructing, operating, or providing a project, which costs may include debt  
25 service requirements of the Authority relating to that project. These contracts are not  
26 intended and shall not be deemed to constitute or create a debt of the subdivision or a  
27 pledge of its faith or credit within the meaning of any of these limitations or any  
28 constitutional or other provisions. Such a project shall not be deemed to be a capital  
29 project of the subdivision within the meaning of any of these limitations or other  
30 provisions, and a resolution, ordinance, or other official action authorizing such  
31 contracts is not subject to referendum or other procedure not applicable to all  
32 ordinances or resolutions enacted by the subdivision. For the purposes of this section,  
33 the express powers contained and enumerated in [Articles 23A, 25A, and 25B of the  
34 Code] **DIVISION II AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and in  
35 the charter of the City of Baltimore are deemed to incorporate and include the power  
36 and authority contained in this section.

37 5-307.

38           (h) The amount of revenues collected under subsection (f)(1) of this section  
39 shall be included in the report required under [Article 24, § 2-101 of the Code] **§**  
40 **16-103 OF THE LOCAL GOVERNMENT ARTICLE.**

41 8-1103.



1 (i) The financing plan submitted by the municipality and county in which  
2 the project is located shall:

3 (2) Set forth the revenue sources to be relied upon to provide the local  
4 costs, which without limitation may include:

5 (i) As to the county:

6 1. The recordation tax authorized by Title 12 of the Tax  
7 – Property Article;

8 2. The admissions and amusement tax authorized by §  
9 4–102(b) of the Tax – General Article;

10 3. The county income tax authorized by § 10–103 of the  
11 Tax – General Article;

12 4. State–collected, locally–shared taxes or designated  
13 portions of the taxes;

14 5. Taxes authorized by the Tax – Property Article; and

15 6. Revenues raised by establishment of an erosion  
16 control district established pursuant to [Article 25, §§ 161 and 163A of the Code] §§  
17 **21–202, 21–204, AND 21–210 OF THE LOCAL GOVERNMENT ARTICLE**; and

18 (ii) As to the municipality:

19 1. Taxes authorized by the Tax – Property Article;

20 2. Fees and charges authorized by [Article 23A, §  
21 2(b)(33) of the Code] § **5–205(D) OF THE LOCAL GOVERNMENT ARTICLE** or the  
22 municipality’s charter; and

23 3. The admissions and amusement tax authorized by §  
24 4–102(b) of the Tax – General Article; and

25 **Article – Public Safety**

26 12–1004.

27 (c) Except as otherwise allowed under this subtitle and Subtitles 2, 3, 4, and  
28 5 of this title, and notwithstanding [Articles 23A, 25, 25A, 25B, 28, and 29 of the  
29 Code] **THE LOCAL GOVERNMENT ARTICLE, DIVISION II OF THE LAND USE  
30 ARTICLE, AND DIVISION II OF THE PUBLIC UTILITIES ARTICLE** and any building  
31 codes, mechanical codes, plumbing codes, fire prevention codes, and electrical codes

1 adopted under those articles of the Code, the MBRC applies to all rehabilitation  
2 projects for which a construction permit application is received by a local jurisdiction,  
3 the Maryland–National Capital Park and Planning Commission, or the Washington  
4 Suburban Sanitary Commission after adoption of the MBRC.

5 **Article – Public Utilities**

6 22–204.

7 (b) [Article 31, §§ 9, 10, and 11 of the Code] **SECTIONS 19–205 AND 19–206**  
8 **OF THE LOCAL GOVERNMENT ARTICLE** do not apply to the issuance and sale of  
9 bonds authorized by this subtitle.

10 29–101.

11 (h) In a proceeding for a Commission infraction before the District Court, the  
12 violation shall be prosecuted in the same manner and to the same extent provided for  
13 municipal infractions under [Article 23A, § 3(b)(7), (10), and (12) through (15) of the  
14 Code] **§§ 6–108 THROUGH 6–110, 6–112, AND 6–114 OF THE LOCAL**  
15 **GOVERNMENT ARTICLE.**

16 29–102.

17 (g) In a proceeding for a Commission infraction before the District Court, the  
18 violation shall be prosecuted in the same manner and to the same extent provided for  
19 municipal infractions under [Article 23A, § 3(b)(7), (10), and (12) through (15) of the  
20 Code] **§§ 6–108 THROUGH 6–110, 6–112, AND 6–114 OF THE LOCAL**  
21 **GOVERNMENT ARTICLE.**

22 **Article – Real Property**

23 10–704.

24 (a) In Frederick County, the vendor of a property that is subject to a tax or  
25 fee of a special taxing district as authorized in [Article 23A, § 44A(b) of the Code] **§**  
26 **21–409 OF THE LOCAL GOVERNMENT ARTICLE** or by a community development  
27 authority as authorized in § 2–7–125(b) of the Public Local Laws of Frederick County  
28 may not enforce a contract for the sale of the property unless within 20 calendar days  
29 after entering into the contract, the purchaser of the property is provided the following  
30 information in writing:

31 (1) In conspicuous, bold, and underscored type, substantially the same  
32 as the following clause:

33 “This sale is subject to a tax or fee of a (special taxing district or community  
34 development authority). State law requires that the seller disclose to you at or before

1 the time the contract is entered into, or within 20 calendar days after entering into the  
2 contract, certain information concerning the property you are purchasing. The content  
3 of the information to be disclosed is set forth in § 10-704 of the Real Property Article  
4 of the Maryland Annotated Code and includes the amount of the current annual tax or  
5 fee of the (special taxing district or community development authority) for the  
6 property, the number of years remaining for the tax or fee of the (special taxing  
7 district or community development authority), and a statement of whether any tax or  
8 fee of the (special taxing district or community development authority) against the  
9 property is delinquent.”;

10 (2) The amount of the current annual tax or fee of the special taxing  
11 district or community development authority for the property;

12 (3) The number of years remaining for the tax or fee of the special  
13 taxing district or community development authority on the property; and

14 (4) Whether any tax or fee of the special taxing district or community  
15 development authority against the property is delinquent.

16 10-706.

17 (b) The vendor of property that is subject to a tax of a special taxing district  
18 as authorized in [Article 24, § 9-1301(c) of the Code] **§§ 21-503, 21-504, AND**  
19 **21-519 THROUGH 21-523 OF THE LOCAL GOVERNMENT ARTICLE** may not  
20 enforce a contract for the sale of the property unless:

21 (1) The purchaser of the property is provided with the following  
22 information in writing:

23 (i) A description of the area included within the special taxing  
24 district;

25 (ii) The maximum amount of bonds and other obligations to be  
26 issued with respect to the special taxing district;

27 (iii) A description of the purposes for which the special taxing  
28 district was created, and for which the bonds or other obligations have been issued,  
29 including a description of any improvements;

30 (iv) The amount of special taxes levied on the property for the  
31 most recent year or, if taxes were not levied on the property for the most recent year, a  
32 good-faith estimate of the annual tax that will be levied on the property;

33 (v) The maximum amount of special taxes that may be levied on  
34 the property in a year;

1 (vi) The projected time period over which any bonds or  
2 obligations issued in connection with the special taxing district are to be repaid; and

3 (vii) A description of the purchaser's right to fully prepay the  
4 special taxing district obligations; and

5 (2) The contract for the sale of the property contains a notice, written  
6 in conspicuous, bold, and underscored type, that is substantially the same as the  
7 following:

8 "NOTICE REQUIRED BY MARYLAND LAW

9 The property that is the subject of this contract is located within a special  
10 taxing district, which has been created for the purpose of financing or refinancing the  
11 costs related to certain infrastructure improvements within the taxing district. These  
12 costs will be repaid from the proceeds of special taxes collected from the owners of  
13 properties located within the special taxing district.

14 State law requires that the seller disclose to you, at or before the time you enter  
15 into this contract, the following information: (1) a description of the area included  
16 within the special taxing district, (2) the maximum amount of bonds and other  
17 obligations to be issued with respect to the special taxing district, (3) a description of  
18 the purposes for which the special taxing district was created, and for which the bonds  
19 or other obligations have been issued, including a description of any infrastructure  
20 improvements, (4) the amount of special taxes levied on the property for the most  
21 recent year or, if taxes were not levied on the property for the most recent year, a  
22 good-faith estimate of the annual tax that will be levied on the property, (5) the  
23 maximum amount of special taxes that may be levied on the property in a year, (6) the  
24 projected time period over which any bonds or obligations issued in connection with  
25 the special taxing district are to be repaid, and (7) your right as the prospective owner  
26 of the property to fully prepay the special taxing district obligations with respect to the  
27 property.

28 You have 7 calendar days from the date you receive the above information  
29 relating to the special taxing district to cancel this contract by sending a written notice  
30 of cancellation to the seller. You are not required to state a reason for cancelling the  
31 contract. Upon cancellation of the contract, you are entitled to a refund of any deposit  
32 you may have made under this contract.

33 A seller may not require that you waive your right to receive the information  
34 relating to the special taxing district or your right to cancel the contract within 7  
35 calendar days of receipt of the information. A seller may not require that you close the  
36 sale under this contract within 7 calendar days from the date you receive the  
37 information relating to the special taxing district.

38 State law provides that any seller who, in disclosing the information relating to  
39 the special taxing district, makes any false statement of a material fact or omits a

1 material fact that, in light of the circumstances under which the statements were  
2 made, is necessary to make the statements not misleading is liable to the purchaser  
3 for damages proximately caused by the seller's false or omitted statement. Any action  
4 for damages caused by the seller's false statement or omission of a material fact must  
5 be brought within 1 year from the date of closing under this contract.

6 You should carefully review the information relating to the special taxing  
7 district provided by the seller to familiarize yourself with your rights and obligations  
8 as a prospective owner of property located within the special taxing district.”

9 10-707.

10 (b) The vendor of property that is subject to a tax of a special taxing district  
11 as authorized in [Article 24, § 9-1301(c) of the Code] **§§ 21-503, 21-504, AND**  
12 **21-519 THROUGH 21-523 OF THE LOCAL GOVERNMENT ARTICLE** may not  
13 enforce a contract for the sale of the property unless:

14 (1) The purchaser of the property is provided with the following  
15 information in writing on or before entering into the contract for the sale of the  
16 property:

17 (i) A description of the area included within the special taxing  
18 district;

19 (ii) The maximum amount of bonds and other obligations to be  
20 issued with respect to the special taxing district;

21 (iii) A description of the purposes for which the special taxing  
22 district was created, and for which the bonds or other obligations have been issued,  
23 including a description of any improvements;

24 (iv) The amount of special taxes levied on the property for the  
25 most recent year or, if taxes were not levied on the property for the most recent year, a  
26 good-faith estimate of the annual tax that will be levied on the property;

27 (v) The maximum amount of special taxes that may be levied on  
28 the property in a year;

29 (vi) The projected time period over which any bonds or  
30 obligations issued in connection with the special taxing district are to be repaid; and

31 (vii) A description of the purchaser's right to fully prepay the  
32 special taxing district obligations; and

33 (2) The contract for the sale of the property contains a notice, written  
34 in conspicuous, bold, and underscored type, that is substantially the same as the  
35 following:

## 1 "NOTICE REQUIRED BY MARYLAND LAW

2 The property that is the subject of this contract is located within a special  
3 taxing district, which has been created for the purpose of financing or refinancing the  
4 costs related to certain infrastructure improvements within the taxing district. These  
5 costs will be repaid from the proceeds of special taxes collected from the owners of  
6 properties located within the special taxing district.

7 State law requires that the seller disclose to you, at or before the time you enter  
8 into this contract, the following information: (1) a description of the area included  
9 within the special taxing district, (2) the maximum amount of bonds and other  
10 obligations to be issued with respect to the special taxing district, (3) a description of  
11 the purposes for which the special taxing district was created, and for which the bonds  
12 or other obligations have been issued, including a description of any infrastructure  
13 improvements, (4) the amount of special taxes levied on the property for the most  
14 recent year or, if taxes were not levied on the property for the most recent year, a  
15 good-faith estimate of the annual tax that will be levied on the property, (5) the  
16 maximum amount of special taxes that may be levied on the property in a year, (6) the  
17 projected time period over which any bonds or obligations issued in connection with  
18 the special taxing district are to be repaid, and (7) your right as the prospective owner  
19 of the property to fully prepay the special taxing district obligations with respect to the  
20 property.

21 You have 20 calendar days from the date you receive the above information  
22 relating to the special taxing district to cancel this contract by sending a written notice  
23 of cancellation to the seller. You are not required to state a reason for cancelling the  
24 contract. Upon cancellation of the contract, you are entitled to a refund of any deposit  
25 you may have made under this contract.

26 A seller may not require that you waive your right to receive the information  
27 relating to the special taxing district or your right to cancel the contract within 20  
28 calendar days of receipt of the information. A seller may not require that you close the  
29 sale under this contract within 20 calendar days from the date you receive the  
30 information relating to the special taxing district.

31 State law provides that any seller who, in disclosing the information relating to  
32 the special taxing district, makes any false statement of a material fact or omits a  
33 material fact that, in light of the circumstances under which the statements were  
34 made, is necessary to make the statements not misleading is liable to the purchaser  
35 for damages proximately caused by the seller's false or omitted statement. Any action  
36 for damages caused by the seller's false statement or omission of a material fact must  
37 be brought within 1 year from the date of closing under this contract.

38 You should carefully review the information relating to the special taxing  
39 district provided by the seller to familiarize yourself with your rights and obligations  
40 as a prospective owner of property located within the special taxing district."

1 11B-104.

2 (c) Subject to the provisions of this title, a code home rule county located in  
 3 the Southern Maryland class, as identified in [Article 25B, § 2 of the Code] **§ 9-302**  
 4 **OF THE LOCAL GOVERNMENT ARTICLE**, may establish a homeowners association  
 5 commission with the authority to hear and resolve disputes between a homeowners  
 6 association and a homeowner regarding the enforcement of the recorded covenants or  
 7 restrictions of the homeowners association by providing alternative dispute resolution  
 8 services, including binding arbitration.

9 **Article – State Finance and Procurement**

10 5-606.

11 (b) The Plan does not:

12 (1) supersede any State statute or regulation;

13 (2) supersede any local ordinance or regulation;

14 (3) affect the delegation of planning and zoning powers granted by the  
 15 State to local jurisdictions under [Articles 23A, 25A, and 25B of the Code] **DIVISION**  
 16 **II, TITLE 9, SUBTITLES 2 OR 3, TITLE 10, OR TITLE 11 OF THE LOCAL**  
 17 **GOVERNMENT ARTICLE** and Division I of the Land Use Article; or

18 (4) overturn or prevent a decision of a local jurisdiction to fund a  
 19 project.

20 6-222.

21 (a) The Treasurer may invest or reinvest unexpended or surplus money over  
 22 which the Treasurer has custody in:

23 (8) any investment portfolio created under the Maryland Local  
 24 Government Investment Pool defined under [Article 95, § 22G] **§§ 17- 301 THROUGH**  
 25 **17-309 OF THE LOCAL GOVERNMENT ARTICLE** of the Code that is administered by  
 26 the Office of the State Treasurer.

27 8-117.

28 (c) An enabling act may take substantially the following form:

29 "A BILL ENTITLED

30 AN ACT concerning

1 Creation of a State Debt – (Name of Project)

2 FOR the purpose of authorizing the creation of a State debt not to exceed \$....., (for an  
3 enabling act that requires an equal matching fund)/ in the amount of \$....., (for an  
4 enabling act that requires no matching fund or a lesser matching fund) the  
5 proceeds to be used as a grant to ..... (name of grantee) for certain development or  
6 improvement purposes; providing for disbursement of the loan proceeds, subject  
7 to the requirement that the grantee provide and expend a matching fund (if the  
8 enabling act requires a matching fund); and providing generally for the issuance  
9 and sale of bonds evidencing the loan.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That:

12 (1) The Board of Public Works may borrow money and incur indebtedness on  
13 behalf of the State of Maryland through a State loan to be known as the ... (name of  
14 project) Loan of ... (year) equal to the lesser of (i) \$... or (ii) the amount of the matching  
15 fund provided in accordance with Section 1(5) below. (For an enabling act that requires  
16 an equal matching fund)/ in the total principal amount of \$..... (for an enabling act that  
17 requires no matching fund or a lesser matching fund). This loan shall be evidenced by  
18 the issuance, sale, and delivery of State general obligation bonds authorized by a  
19 resolution of the Board of Public Works and issued, sold, and delivered in accordance  
20 with §§ 8–117 through 8–124 AND 8–131.2 of the State Finance and Procurement  
21 Article [and Article 31, § 22 of the Code] .

22 (2) The bonds to evidence this loan or installments of this loan may be sold as  
23 a single issue or may be consolidated and sold as part of a single issue of bonds under §  
24 8–122 of the State Finance and Procurement Article.

25 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
26 and first shall be applied to the payment of the expenses of issuing, selling, and  
27 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
28 shall be credited on the books of the Comptroller and expended, on approval by the  
29 Board of Public Works, for the following public purposes, including any applicable  
30 architects' and engineers' fees: as a grant to ..... (name of grantee) (referred to  
31 hereafter in this Act as "the grantee") (for an enabling act that requires a matching  
32 fund) for (here state the purpose or purposes to which the proceeds of the bonds are to  
33 be applied).

34 (4) An annual State tax is imposed on all assessable property in the State in  
35 rate and amount sufficient to pay the principal of and interest on the bonds, as and  
36 when due and until paid in full. The principal shall be discharged within 15 years after  
37 the date of issue of the bonds.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 June 1, .... (year)".



1 8–202.

2 This subtitle does not apply to an entity that is governed by [Article 31 of the  
3 Code] **TITLE 19, SUBTITLES 1, 2, AND 9 AND SUBTITLE 6, PART I OF THE LOCAL**  
4 **GOVERNMENT ARTICLE.**

5 **Article – State Government**

6 2–1220.

7 (d) (1) The Office of Legislative Audits shall review any audit report  
8 prepared under the authority of:

9 (i) [Article 19, § 40 of the Code] **§§ 16–305 THROUGH 16–308**  
10 **OF THE LOCAL GOVERNMENT ARTICLE**, with respect to a county, municipal  
11 corporation, or taxing district; or

12 2–1237.

13 (a) In addition to any duties set forth elsewhere, the Office shall:

14 (14) review the financial reports received from each political  
15 subdivision in accordance with [Article 24, § 2–101 of the Code] **§ 16–103 OF THE**  
16 **LOCAL GOVERNMENT ARTICLE** as to completeness and accuracy. If the report needs  
17 revision, the political subdivision shall be advised and shall submit the requested  
18 information within 15 days. The financial reports of political subdivisions shall be  
19 available for public inspection and certified copies shall be provided by the Office for a  
20 reasonable fee;

21 15–802.

22 The express powers contained in [Articles 23A, 25A, and 25B of the Code]  
23 **TITLE 5, SUBTITLE 2 AND TITLE 10 OF THE LOCAL GOVERNMENT ARTICLE** and  
24 in the Charter of the City of Baltimore are intended and shall be deemed to  
25 incorporate and include the power and authority contained in this Part I.

26 15–853.

27 (d) “Application” means:

28 (4) a request made under [Article 23A, § 9(c) of the Code] **§ 4–416 OF**  
29 **THE LOCAL GOVERNMENT ARTICLE** for the Board to approve the placement of  
30 annexed land in a zoning classification that allows a land use that is substantially  
31 different from the use for the land authorized in the zoning classification of the county  
32 applicable at the time of annexation; or

1 **Article – Tax – General**

2 4–103.

3 (a) The admissions and amusement tax may not be imposed by:

4 (4) Washington County on gross receipts from an amusement device  
5 that is subject to the license and permit requirements of [Article 24, § 11–202 of the  
6 Code] **TITLE 17, SUBTITLE 4, PART V OF THE BUSINESS REGULATION ARTICLE;**

7 11–102.

8 (c) (1) A county, municipal corporation, special taxing district, or other  
9 political subdivision of the State may not impose any retail sales or use tax except:

10 (iii) a tax imposed by a code county on the sale or use of food and  
11 beverages authorized under [Article 25B, § 13H of the Code] **§ 20–602 OF THE**  
12 **LOCAL GOVERNMENT ARTICLE.**

13 **Article – Tax – Property**

14 7–243.

15 (a) In this section, “heavy equipment property” has the meaning stated in  
16 [Article 24, § 9–609 of the Code] **§ 20–609 OF THE LOCAL GOVERNMENT ARTICLE.**

17 (b) Heavy equipment property is not subject to the property tax if the  
18 property is subject to the gross receipts tax imposed under [Article 24, § 9–609 of the  
19 Code] **§ 20–609 OF THE LOCAL GOVERNMENT ARTICLE.**

20 9–102.

21 (a) (3) “Assumed real property tax” means:

22 (i) 15% of the occupancy rent paid by a renter during the  
23 calendar year; or

24 (ii) 15% of the occupancy rent paid by a renter during the  
25 calendar year plus any tax paid under [Article 24, § 9–401 of the Code] **§ 20–501 OF**  
26 **THE LOCAL GOVERNMENT ARTICLE.**

27 **Article – Transportation**

28 5–419.

1 (c) This section supersedes any other general or local law[, including Article  
2 31 of the Code,] to the extent of any conflict. No part of this section may be deemed to  
3 be impliedly repealed or superseded by any subsequent legislation if such construction  
4 reasonably can be avoided.

5 8–610.

6 (h) “Municipality” means the governing body of a [municipal corporation as  
7 defined in Article 23A, § 9 of the Code] **MUNICIPALITY AS DEFINED IN § 1–101 OF**  
8 **THE LOCAL GOVERNMENT ARTICLE.**

9 8–630.

10 (a) (2) “Municipal corporation” [has the meaning stated in Article 23A, § 9  
11 of the Code] **MEANS A MUNICIPALITY AS DEFINED IN § 1–101 OF THE LOCAL**  
12 **GOVERNMENT ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That:

14 (a) (1) The revision of former Article 31, § 22 of the Code as enacted by  
15 Chapter\_\_\_(H.B. 472/3lr0446) of the Acts of the General Assembly of 2013 and its  
16 reenactment by that Act as § 8–131.2 of the State Finance and Procurement Article  
17 shall have no effect with respect to the validity of any bonds authorized or issued  
18 under an enactment of the General Assembly of 2013 or any prior year, and any such  
19 bonds shall continue to be accorded the same tax–exempt status as under the former  
20 Article 31, § 22 prior to the enactment of Chapter\_\_\_(H.B. 472/3lr0446) of the Acts of  
21 2013; and

22 (2) The changes made to former Article 31 by Chapter\_\_\_  
23 (H.B. 472/3lr0446) of the Acts of the General Assembly of 2013 shall have no effect  
24 with respect to the status and validity of any bonds authorized or issued under an  
25 enactment of the General Assembly of 2013 or any prior year.

26 (b) Any enactment of the General Assembly of 2013 or any prior year  
27 containing a reference to any provision of former Article 31 that was in effect on  
28 September 30, 2013, shall be deemed to include a reference to the corresponding  
29 provision of law as enacted by Chapter\_\_\_(H.B. 472/3lr0446) of the Acts of the General  
30 Assembly of 2013.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2013.