

HOUSE BILL 942

N1

1lr2618

By: **Delegate Conaway**

Introduced and read first time: February 2, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Leases – Grounds for Termination by Tenant**

3 FOR the purpose of prohibiting a certain landlord from charging a tenant or causing a
4 tenant to be charged for electricity usage except in accordance with the terms of a
5 written lease; authorizing a certain tenant to terminate a lease without penalty
6 under certain circumstances; providing that the termination takes effect
7 immediately upon the tenant providing a certain notice to the landlord; providing for
8 the application of this Act; and generally relating to grounds for termination of a
9 commercial lease by a tenant.

10 BY adding to

11 Article – Real Property

12 Section 8–119

13 Annotated Code of Maryland

14 (2015 Replacement Volume and 2020 Supplement)

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

17 **Article – Real Property**

18 **8–119.**

19 **(A) THIS SECTION APPLIES ONLY TO PROPERTY LEASED FOR BUSINESS,**
20 **COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY**
21 **OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL.**

22 **(B) A LANDLORD MAY NOT CHARGE A TENANT, OR CAUSE A TENANT TO BE**
23 **CHARGED, FOR ELECTRICITY USAGE EXCEPT IN ACCORDANCE WITH THE TERMS OF**
24 **A WRITTEN LEASE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) (1) IF, AFTER RECEIVING NOTICE THAT THE LANDLORD HAS**
2 **VIOLATED SUBSECTION (B) OF THIS SECTION, A LANDLORD COMMITS A SECOND OR**
3 **SUBSEQUENT VIOLATION OF SUBSECTION (B) OF THIS SECTION, THE TENANT MAY**
4 **TERMINATE THE LEASE WITHOUT PENALTY.**

5 **(2) THE TERMINATION SHALL TAKE EFFECT IMMEDIATELY UPON THE**
6 **TENANT PROVIDING WRITTEN NOTICE OF THE TERMINATION TO THE LANDLORD.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2021.