

SENATE BILL 544

L1

1lr1697
CF 1lr1698

By: **Senator Eckardt**

Introduced and read first time: January 26, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Charter and Code Home Rule Counties – County Property Leases – Notice**
3 **Exemptions**

4 FOR the purpose of authorizing a charter or code home rule county to enter into a certain
5 property lease without giving certain notice under certain circumstances; and
6 generally relating to charter or code home rule county property leases.

7 BY repealing and reenacting, without amendments,

8 Article – Local Government

9 Section 10–301

10 Annotated Code of Maryland

11 (2013 Volume and 2020 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Local Government

14 Section 10–312

15 Annotated Code of Maryland

16 (2013 Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Local Government**

20 10–301.

21 This subtitle applies only to charter counties and code counties.

22 10–312.

23 (a) A county may provide for the protection of county property.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A county may provide for:

2 (1) the acquisition by purchase, lease, condemnation, or otherwise of
3 property required for public purposes in the county; and

4 (2) the disposal of any real or leasehold county property, if the county
5 property is no longer needed for public use.

6 (c) A county may lease as lessor any county property to further the public
7 purposes of the county, on any terms and compensation that the county considers proper.

8 (d) A county may provide for the financing of any housing or housing project
9 wholly or partly, including the placement of a deed of trust, mortgage, or other debt
10 instrument on the property to ensure repayment of funds used to purchase, construct,
11 rehabilitate, or otherwise develop the housing project.

12 (e) (1) A county may grant any franchise or right to use a franchise, including
13 any right or franchise in relation to any highway, street, road, lane, alley, or bridge.

14 (2) A county may grant a franchise for a cable television system as provided
15 in § 1-708 of this article.

16 (3) For any franchise granted under this subsection, a county may:

17 (i) impose franchise fees; and

18 (ii) establish rates, rules, and regulations.

19 (f) (1) Except as provided in [paragraph] **PARAGRAPHS (2) AND (3)** of this
20 subsection, before the county makes any disposition, grant, or lease of county property, the
21 county shall publish notice of the disposition, grant, or lease once a week for 3 successive
22 weeks in at least one newspaper of general circulation in the county and shall include the
23 terms and the compensation to be received and give opportunity for objections.

24 (2) A county may grant an easement for a public utility without giving
25 notice under this subsection.

26 **(3) A COUNTY MAY ENTER INTO A LEASE WITHOUT GIVING NOTICE**
27 **UNDER THIS SUBSECTION ONLY IF THE LEASE:**

28 **(I) IS NOT RENEWABLE; AND**

29 **(II) HAS A TERM OF 5 YEARS OR LESS.**

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