

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1347

(Delegate Barve)

Environment and Transportation

Judicial Proceedings

Real Property - Impermissible Restrictions on Use - Portable Basketball
Apparatuses

This bill prohibits specified restrictions on use from imposing unreasonable limitations on the location and use of a “portable basketball apparatus,” as long as the property owner owns or has the right to exclusive use of the area in which placement and use of the apparatus is to occur. Such restrictions on use include covenants, restrictions, or conditions included in, among other instruments, deeds, declarations, or contracts. An “unreasonable limitation” includes a limitation that significantly (1) increases the cost of using the apparatus or (2) decreases the ability to use the apparatus as designed and intended. The bill is not applicable to historic property that is listed in, or eligible for inclusion in, the Maryland Register of Historic Properties.

Fiscal Summary

State Effect: The bill does not directly affect State government operations or finances.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: A “portable basketball apparatus” means a portable apparatus or device designed for recreational use in conjunction with the game of basketball.

Current Law: Statute neither specifically prohibits nor permits restrictions on the location and use of a portable basketball apparatus.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Montgomery and Prince George's counties; Judiciary (Administrative Office of the Courts); Maryland Department of Planning; Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2021
rh/jkb Third Reader - March 22, 2021

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