

SB0592/583224/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 592
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 15, insert:

“BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 9-5(b)
Article 4 - Baltimore City
(1979 Edition and 1997 Supplement and 2000 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 20, strike “(2)” and substitute “**(3)**”; in line 23, after the second comma, insert “**OR**”; and strike beginning with “, **OR**” in line 23 down through “**ENTITY**” in line 25.

On page 2, in line 3, after “(2)” insert “**AN ELECTRONIC OR WRITTEN CHECK ISSUED BY A POLITICAL SUBDIVISION OR ON BEHALF OF A GOVERNMENTAL ENTITY SHALL HAVE THE SAME LEGAL EFFECT AS A PAYMENT MADE BY THE TENANT UNDER PARAGRAPH (1) OF THIS SUBSECTION.**”

(3);

in line 7, strike “**EXCEPT AS PROVIDED IN**” and substitute “**SUBJECT TO**”; in the same line, strike “**(2)**” and substitute “**(3)**”; in line 11, strike the brackets; strike beginning with “, **OR**” in line 11 down through “**ENTITY**” in line 13; in line 16, after “**(2)**” insert “**AN ELECTRONIC OR WRITTEN CHECK ISSUED BY A POLITICAL SUBDIVISION OR ON BEHALF OF A GOVERNMENTAL ENTITY SHALL HAVE THE SAME LEGAL EFFECT**”

AS A PAYMENT MADE BY THE RESIDENT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3)”;

and after line 18, insert:

“Article 4 – Baltimore City

9–5.

(b) (1) [In] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IN any action of summary ejection for failure to pay rent where the landlord is awarded a judgment giving [him] THE LANDLORD restitution of the leased premises, the tenant [has] SHALL HAVE the right to redemption of the leased premises by tendering in cash, certified check or money order to the landlord or [his] THE LANDLORD’S agent all past due rent and late fees, plus all court awarded costs and fees, at any time before actual execution of the eviction order.

(2) AN ELECTRONIC OR WRITTEN CHECK ISSUED BY A POLITICAL SUBDIVISION OR ON BEHALF OF A GOVERNMENTAL ENTITY SHALL HAVE THE SAME LEGAL EFFECT AS A PAYMENT MADE BY THE TENANT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) The right of redemption is not available to a tenant if the landlord alleges and shows that more than three judgments of restitution were issued against the tenant in the 12 months preceding the filing of the landlord’s complaint.

[(3)] (4) Nothing in this section shall preclude a tenant in any summary ejection action from raising any defense available under the Public Local Laws of Baltimore City. If a tenant prevails on any of these defenses, the judgment, whether or not it includes a judgment of restitution against the tenant, shall not be considered a judgment of restitution for purposes of paragraph [(2)] (3) of this subsection.”.