HOUSE BILL 354

By: Prince George’s County Delegation
Introduced and read first time: January 19, 2022
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Prince George’s County – Nonschool Use of Public School Facilities

PG 505–22

FOR the purpose of authorizing, in Prince George’s County, the nonschool use of public school facilities for public and community purposes, and the manner by which certain costs are apportioned, to be regulated by local law consistent with certain use criteria and not inconsistent with other provisions of law; authorizing a local law to provide for an interagency coordinating board; requiring the members of an interagency coordinating board to be appointed by the Prince George’s County Executive and confirmed by the Prince George’s County Council in accordance with a local law; and generally relating to the nonschool use of public school facilities in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Education
Section 7–108
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

7–108.

(a) Each county board shall encourage the use of public school facilities for community purposes.

(b) (1) If written application is made to the county superintendent, the county
board shall provide for the use of a public school facility for:

(i) The presentation and discussion of public questions;

(ii) Public speaking;

(iii) Lectures; or

(iv) Other civic, educational, social, or recreational purposes or church affiliated civic purposes.

(2) These meetings shall be open to the public.

(3) The county board may refuse the use of any school facility for these purposes if it appears that the use is likely to:

(i) Provoke or add to a public riot or breach of the peace; or

(ii) Create a clear and present danger to the peace and welfare of the county or State.

(c) Each county board may permit a partisan political organization that has polled 10 percent or more of the entire vote cast in this State in the last general election to use public school facilities for programs and meetings that relate to a political campaign for nomination or election of a candidate to public office.

(d) Each county board may permit the use of public school facilities for religious or other lawful purposes.

(e) Subject to § 7–109 of this subtitle, school facilities may be used only at times that will not interfere with regular school sessions or other bona fide school activities.

(f) In Montgomery County, nonschool use of school facilities for public and community purposes and the manner by which costs associated with such use are apportioned may be regulated by local law consistent with the use criteria set forth in § 7–110 of this subtitle and not inconsistent with any other provisions of this article. The local law authorized by this subsection may provide for an interagency coordinating board and for the appointment of its members by Montgomery County. Membership may include the Superintendent of Schools, the President of Montgomery College, the members of the Montgomery County Planning Board, and such other members as may be provided by the local law.

(G) (1) In Prince George’s County, nonschool use of school facilities for public and community purposes and the manner by which costs associated with a nonschool use are apportioned may be regulated by local law consistent with the use criteria set forth in § 7–110 of this subtitle and not inconsistent with any other provisions of
THIS ARTICLE.

(2) THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION MAY PROVIDE FOR AN INTERAGENCY COORDINATING BOARD.

(3) IF THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION PROVIDES FOR AN INTERAGENCY COORDINATING BOARD, THE MEMBERS OF THE BOARD:

(I) SHALL BE APPOINTED BY THE PRINCE GEORGE’S COUNTY EXECUTIVE AND CONFIRMED BY THE PRINCE GEORGE’S COUNTY COUNCIL IN ACCORDANCE WITH LOCAL LAW GOVERNING CONFIRMATION OF ADMINISTRATIVE APPOINTMENTS; AND


[(g)] (H) In Talbot County, the county board may enter into a lease with an organization that operates a community–based educational and recreational program to use a public school facility if:

(1) The county board does not anticipate a need for the public school facility during the term of the lease;

(2) The county board determines that the public school system will benefit if the organization operates a community–based educational and recreational facility at the public school facility; and

(3) The lease term is not longer than 99 years.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.