SENATE BILL 1002

By: Senator Eckardt
Introduced and read first time: February 25, 2022
Assigned to: Rules

A BILL ENTITLED

AN ACT concerning
Charter and Code Home Rule Counties – County Property Leases – Notice
Exemptions

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

BY repealing and reenacting, without amendments,
Article – Local Government
Section 10–301
Annotated Code of Maryland
(2013 Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 10–312
Annotated Code of Maryland
(2013 Volume and 2021 Supplement)

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

Article – Local Government

10–301.

This subtitle applies only to charter counties and code counties.

10–312.

(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.
(b) A county may provide for:

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

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

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

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

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

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

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

4 (i) impose franchise fees; and

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

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

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

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

4 (I) IS NOT RENEWABLE; AND

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

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