

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

Senate Bill 86

(Senator Hester)

Education, Health, and Environmental Affairs

Environment and Transportation

Department of Natural Resources – Lease Agreements – Trail Access Provision

This bill requires that, whenever the Department of Natural Resources (DNR) leases any State-owned property under its jurisdiction and control to any lessee, the lease must include a provision that requires the lessee to (1) maintain unobstructed access to trail heads by trail users and first responders and (2) ensure that the trail heads remain free of obstructions at all times. At least once each year, the Secretary of Natural Resources must submit a report of all leases executed by DNR to the Department of General Services (DGS).

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: The bill is not expected to materially affect local government finances.

Small Business Effect: Minimal.

Analysis

Current Law: Any real or personal property of the State or a unit of the State government may be sold, leased, transferred, exchanged, granted, or otherwise disposed of (1) to any person, to the United States or any of its units, or to any unit of the State government, for a consideration the Board of Public Works (BPW) decides is adequate or (2) to any county or municipal corporation in the State subject to any conditions BPW imposes. Except as otherwise provided under specified statute, if any real or personal property disposed of is under the jurisdiction or control of a unit of the State government, the deed, lease, or other evidence of conveyance of the real or personal property must be executed by the highest official of the unit and by BPW. BPW has delegated to DNR, under [BPW Advisory 2006-2](#)

[DNR-Managed Property Leases](#), the authority to enter into and execute specified individual leases of State-owned dwelling houses, outbuildings, and agriculture lands located on State parks, forests, wildlife management areas, and other DNR managed properties, and hunting leases on Chesapeake Forest Lands. The advisory requires DNR to submit to DGS a report of all leases annually, that is then submitted to BPW through the DGS Action Agenda.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1395 (Delegate Fraser-Hidalgo) - Rules and Executive Nominations.

Information Source(s): Department of Natural Resources; Department of General Services; Department of State Police; Kent, Montgomery, and Worcester counties; Town of Leonardtown; Department of Legislative Services

Fiscal Note History: First Reader - January 21, 2022
rh/mcr Third Reader - February 15, 2022
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