

HOUSE BILL 841

N1, D3
HB 263/22 – ENT

3lr1442

By: **Delegate Grammer**

Introduced and read first time: February 9, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Nuisance Actions – Rodent Harborage**

3 FOR the purpose of authorizing an individual to bring a nuisance action for damages caused
4 by rodent harborage on certain real property against an owner of the property; and
5 generally relating to nuisance actions and rodent harborage.

6 BY adding to
7 Article – Real Property
8 Section 14–134
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2022 Supplement)

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

13 **Article – Real Property**

14 **14–134.**

15 **(A) IN THIS SECTION, “RODENT HARBORAGE” MEANS A CONDITION THAT:**

16 **(1) PROVIDES SUSTENANCE OR SHELTER FOR MICE OR RATS OR**
17 **PROMOTES THEIR REPRODUCTION AND CONTINUED EXISTENCE ON A PROPERTY;**
18 **AND**

19 **(2) (I) CREATES OR CONTRIBUTES TO PROPERTY DAMAGE;**

20 **(II) IS INJURIOUS TO PUBLIC HEALTH, SAFETY, OR THE**
21 **WELFARE OF PROPERTY OWNERS; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(III) OBSTRUCTS THE REASONABLE USE OF PROPERTY.**

2 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
3 **NUISANCE ACTION FOR DAMAGES CAUSED BY RODENT HARBORAGE ON REAL**
4 **PROPERTY MAY BE BROUGHT AGAINST AN OWNER OF THE PROPERTY.**

5 **(2) A NUISANCE ACTION MAY NOT BE BROUGHT UNDER THIS**
6 **SUBSECTION IF THE RODENT HARBORAGE OCCURS ON PROPERTY ZONED FOR**
7 **AGRICULTURAL USE.**

8 **(C) THE COURT MAY AWARD COMPENSATORY AND PUNITIVE DAMAGES TO A**
9 **PREVAILING PLAINTIFF UNDER THIS SECTION.**

10 **(D) THE RIGHTS AND REMEDIES PROVIDED UNDER THIS SECTION ARE IN**
11 **ADDITION TO ANY OTHER RIGHTS OR REMEDIES THAT MAY EXIST AT LAW OR IN**
12 **EQUITY.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2023.