

HOUSE BILL 420

M1, O4, O3

4lr0663

By: **Delegates Lehman, Forbes, Guyton, S. Johnson, D. Jones, Kaufman, Pasteur, Pena–Melnik, Ruth, Schmidt, Simpson, Taveras, and Vogel**

Introduced and read first time: January 18, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **State and Local Parks – Play Area Accessibility – Communication Boards**

3 FOR the purpose of requiring the Department of Natural Resources and local governing
4 bodies to construct communication boards in certain newly constructed public play
5 areas; authorizing the Department and local governing bodies to construct
6 communication boards when making alterations to certain existing public play areas;
7 providing for the funding of communication board construction; and generally
8 relating to play area communication boards.

9 BY repealing and reenacting, without amendments,
10 Article – Natural Resources
11 Section 5–901(a) and (g)
12 Annotated Code of Maryland
13 (2023 Replacement Volume and 2023 Supplement)

14 BY adding to
15 Article – Natural Resources
16 Section 5–2101 through 5–2103 to be under the new subtitle “Subtitle 21. Play Area
17 Accessibility”
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2023 Supplement)

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

22 **Article – Natural Resources**

23 5–901.

24 (a) In this subtitle the following terms have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (g) "Local governing body" means the Maryland–National Capital Park and
2 Planning Commission and the governing body of any county or Baltimore City.

3 **SUBTITLE 21. PLAY AREA ACCESSIBILITY.**

4 **5–2101.**

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (B) (1) "ALTERATION" MEANS A CHANGE TO AN EXISTING PLAY AREA
8 THAT AFFECTS THE USABILITY OF THE PLAY AREA.

9 (2) "ALTERATION" DOES NOT INCLUDE NORMAL MAINTENANCE TO
10 AN EXISTING PLAY AREA THAT DOES NOT AFFECT THE USABILITY OF THE PLAY AREA.

11 (C) "COMMUNICATION BOARD" MEANS A DEVICE THAT DISPLAYS PHOTOS,
12 SYMBOLS, OR ILLUSTRATIONS TO ENABLE INDIVIDUALS WITH LIMITED LANGUAGE
13 SKILLS TO EXPRESS THEMSELVES AND COMMUNICATE.

14 (D) "LOCAL GOVERNING BODY" HAS THE MEANING STATED IN § 5–901 OF
15 THIS TITLE.

16 (E) "PLAY AREA" MEANS A PORTION OF A SITE CONTAINING PLAY
17 COMPONENTS DESIGNED AND CONSTRUCTED FOR CHILDREN.

18 (F) "SITE" MEANS:

19 (1) A PARCEL OF LAND WITH BOUNDARIES MARKED BY A PROPERTY
20 LINE; OR

21 (2) A DESIGNATED PORTION OF A PUBLIC RIGHT–OF–WAY.

22 **5–2102.**

23 (A) THIS SECTION APPLIES ONLY TO PLAY AREAS LOCATED WITHIN A
24 PUBLIC PARK OR RECREATION AREA UNDER THE JURISDICTION OF THE
25 DEPARTMENT OR A LOCAL GOVERNING BODY.

26 (B) THE DEPARTMENT AND EACH LOCAL GOVERNING BODY RESPONSIBLE
27 FOR THE CONSTRUCTION OF PLAY AREAS SHALL CONSTRUCT A COMMUNICATION
28 BOARD IN EACH NEWLY CONSTRUCTED PLAY AREA UNDER ITS JURISDICTION.

1 **(C) THE DEPARTMENT AND EACH LOCAL GOVERNING BODY RESPONSIBLE**
2 **FOR THE CONSTRUCTION OF PLAY AREAS MAY CONSTRUCT A COMMUNICATION**
3 **BOARD IN AN EXISTING PLAY AREA UNDER ITS JURISDICTION WHEN MAKING**
4 **ALTERATIONS TO THAT PLAY AREA.**

5 **5-2103.**

6 **(A) THE DEPARTMENT SHALL USE PROGRAM OPEN SPACE FUNDING**
7 **PROVIDED UNDER § 5-904 OF THIS TITLE FOR THE CONSTRUCTION OF**
8 **COMMUNICATION BOARDS REQUIRED UNDER THIS SUBTITLE IN PLAY AREAS UNDER**
9 **ITS JURISDICTION.**

10 **(B) (1) A LOCAL GOVERNING BODY SHALL APPLY FOR PROGRAM OPEN**
11 **SPACE FUNDING UNDER § 5-905 OF THIS TITLE FOR THE CONSTRUCTION OF**
12 **COMMUNICATION BOARDS REQUIRED UNDER THIS SUBTITLE IN PLAY AREAS UNDER**
13 **ITS JURISDICTION.**

14 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION,**
15 **FUNDING FOR THE CONSTRUCTION OF COMMUNICATION BOARDS REQUIRED UNDER**
16 **THIS SUBTITLE IN PLAY AREAS UNDER A LOCAL GOVERNING BODY'S JURISDICTION**
17 **SHALL BE PROVIDED BY THE LOCAL GOVERNING BODY.**

18 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
19 **October 1, 2024.**