

# HOUSE BILL 420

M1, O4, O3

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By: **Delegates Lehman, Forbes, Guyton, S. Johnson, D. Jones, Kaufman, Pasteur, Pena-Melnyk, Ruth, Schmidt, Simpson, Taveras, ~~and Vogel~~ Vogel, Addison, Allen, Foley, and Healey**

Introduced and read first time: January 18, 2024

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State and Local Parks – Play Area Accessibility – ~~Communication Boards~~**  
3 **Recreation Communication Boards Pilot Program**

4 FOR the purpose of requiring the Department of Natural Resources and local governing  
5 bodies to construct communication boards in certain newly constructed public play  
6 areas under certain circumstances; authorizing the Department and local governing  
7 bodies to construct communication boards when making alterations to certain  
8 existing public play areas; ~~providing for the funding of communication board~~  
9 ~~construction~~ establishing the Maryland Recreation Communication Boards Pilot  
10 Program, subject to the availability of funding; altering the purpose and use of the  
11 Park System Capital Improvements and Acquisition Fund; and generally relating to  
12 play area communication boards.

13 BY repealing and reenacting, with amendments,

14 Article – Natural Resources

15 Section ~~5–221(a), (c), (g), and (n)~~

16 Annotated Code of Maryland

17 (2023 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Natural Resources

20 Section ~~5–221(b) and 5–901(a)~~ and (g)

21 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2023 Replacement Volume and 2023 Supplement)

BY adding to

Article – Natural Resources

Section ~~5-2101 through 5-2103~~ 5-2B-01 through 5-2B-03 to be under the new subtitle “Subtitle ~~2A~~ 2B. Play Area Accessibility”

Annotated Code of Maryland

(2023 Replacement Volume and 2023 Supplement)

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

**Article – Natural Resources**

5-221.

(a) **(1)** In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

**(2)** “Fund” means the Park System Capital Improvements and Acquisition Fund.

**(3)** “MARYLAND RECREATION COMMUNICATION BOARDS PILOT PROGRAM” MEANS THE MARYLAND RECREATION COMMUNICATION BOARDS PILOT PROGRAM ESTABLISHED UNDER § 5-2B-03 OF THIS TITLE.

(b) There is a Park System Capital Improvements and Acquisition Fund.

(c) The purpose of the Fund is to provide funding for:

(1) Completing State park projects related to capital improvements on lands managed by the Department for public purposes; [and]

(2) Acquiring land to be managed by the Department for public purposes as a State park; AND

**(3)** THE MARYLAND RECREATION COMMUNICATION BOARDS PILOT PROGRAM IN ACCORDANCE WITH SUBSECTION (N)(4) OF THIS SECTION.

(g) The Fund may be used only for:

(1) Completing State park projects related to capital improvements on lands managed by the Department for public purposes; [and]

(2) Acquiring land to be managed by the Department for public purposes as a State park; AND

1           **(3) COVERING THE COSTS OF PURCHASING AND INSTALLING A**  
 2 **COMMUNICATION BOARD UNDER THE MARYLAND RECREATION COMMUNICATION**  
 3 **BOARDS PILOT PROGRAM.**

4           (n) If the Fund receives more than \$70,000,000, the Department may use up to  
 5 \$10,000,000 for any of the purposes identified under subsection (l) of this section, including:

6           (1) Land activation;

7           (2) New structures; [and]

8           (3) Any capital improvements necessary to make State parks accessible to  
 9 people with disabilities, including providing adult changing tables; AND

10           **(4) UP TO \$100,000 FOR THE MARYLAND RECREATION**  
 11 **COMMUNICATION BOARDS PILOT PROGRAM.**

12 ~~5-901.~~

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

14           ~~(g) "Local governing body" means the Maryland National Capital Park and~~  
 15 ~~Planning Commission and the governing body of any county or Baltimore City.~~

16           **SUBTITLE ~~21.~~ 2B. PLAY AREA ACCESSIBILITY.**

17 ~~5-2101. 5-2B-01.~~

18           **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
 19 **INDICATED.**

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

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

24           **(C) "COMMUNICATION BOARD" MEANS A DEVICE THAT DISPLAYS PHOTOS,**  
 25 **SYMBOLS, OR ILLUSTRATIONS TO ENABLE INDIVIDUALS WITH LIMITED LANGUAGE**  
 26 **SKILLS TO EXPRESS THEMSELVES AND COMMUNICATE WITH WORDS AND BRAILLE**  
 27 **TO SUPPLEMENT OR REPLACE SPOKEN LANGUAGE AS A MEANS OF EXPRESSION AND**  
 28 **COMMUNICATION.**

1 (D) "LOCAL GOVERNING BODY" HAS THE MEANING STATED IN § 5-901 OF  
2 THIS TITLE.

3 (E) "PILOT PROGRAM" MEANS THE MARYLAND RECREATION  
4 COMMUNICATION BOARDS PILOT PROGRAM ESTABLISHED UNDER § 5-2B-03 OF  
5 THIS SUBTITLE.

6 (F) "PLAY AREA" MEANS A PORTION OF A SITE CONTAINING PLAY  
7 COMPONENTS DESIGNED AND CONSTRUCTED FOR CHILDREN.

8 ~~(F)~~ (G) "SITE" MEANS:

9 (1) A PARCEL OF LAND WITH BOUNDARIES MARKED BY A PROPERTY  
10 LINE; OR

11 (2) A DESIGNATED PORTION OF A PUBLIC RIGHT-OF-WAY.

12 ~~5-2102. 5-2B-02.~~

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

16 (B) (1) ~~THE DEPARTMENT AND EACH LOCAL GOVERNING BODY~~  
17 ~~RESPONSIBLE FOR THE CONSTRUCTION OF PLAY AREAS SUBJECT TO THE~~  
18 AVAILABILITY OF FUNDING UNDER THE PILOT PROGRAM, THE DEPARTMENT SHALL  
19 CONSTRUCT A COMMUNICATION BOARD IN EACH NEWLY CONSTRUCTED PLAY AREA  
20 UNDER ITS JURISDICTION.

21 (2) EACH LOCAL GOVERNING BODY RESPONSIBLE FOR THE  
22 CONSTRUCTION OF PLAY AREAS THAT RECEIVES A GRANT FROM THE PILOT  
23 PROGRAM SHALL CONSTRUCT AT LEAST ONE COMMUNICATION BOARD IN EACH  
24 NEWLY CONSTRUCTED PLAY AREA UNDER ITS JURISDICTION.

25 (C) THE DEPARTMENT AND EACH LOCAL GOVERNING BODY RESPONSIBLE  
26 FOR THE CONSTRUCTION OF PLAY AREAS MAY CONSTRUCT A COMMUNICATION  
27 BOARD IN AN EXISTING PLAY AREA UNDER ITS JURISDICTION WHEN MAKING  
28 ALTERATIONS TO THAT PLAY AREA.

29 ~~5-2103.~~

30 (A) ~~THE DEPARTMENT SHALL USE PROGRAM OPEN SPACE FUNDING~~  
31 ~~PROVIDED UNDER § 5-904 OF THIS TITLE FOR THE CONSTRUCTION OF~~

~~1 COMMUNICATION BOARDS REQUIRED UNDER THIS SUBTITLE IN PLAY AREAS UNDER  
2 ITS JURISDICTION.~~

~~3 (B) (1) A LOCAL GOVERNING BODY SHALL APPLY FOR PROGRAM OPEN  
4 SPACE FUNDING UNDER § 5-905 OF THIS TITLE FOR THE CONSTRUCTION OF  
5 COMMUNICATION BOARDS REQUIRED UNDER THIS SUBTITLE IN PLAY AREAS UNDER  
6 ITS JURISDICTION.~~

~~7 (2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION,  
8 FUNDING FOR THE CONSTRUCTION OF COMMUNICATION BOARDS REQUIRED UNDER  
9 THIS SUBTITLE IN PLAY AREAS UNDER A LOCAL GOVERNING BODY'S JURISDICTION  
10 SHALL BE PROVIDED BY THE LOCAL GOVERNING BODY.~~

11 5-2B-03.

12 (A) (1) THERE IS A MARYLAND RECREATION COMMUNICATION BOARDS  
13 PILOT PROGRAM.

14 (2) THE PURPOSE OF THE PILOT PROGRAM IS TO, SUBJECT TO THE  
15 AVAILABILITY OF FUNDING, IMPROVE PLAY AREA ACCESSIBILITY BY COVERING THE  
16 COSTS OF PURCHASING AND INSTALLING COMMUNICATION BOARDS AT STATE AND  
17 LOCAL PARKS.

18 (3) THE DEPARTMENT SHALL ADMINISTER THE PILOT PROGRAM.

19 (B) (1) A LOCAL GOVERNING BODY MAY APPLY TO THE DEPARTMENT  
20 FOR A GRANT FROM THE PILOT PROGRAM.

21 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AND  
22 IN AWARDING A GRANT TO A LOCAL GOVERNING BODY UNDER THIS SECTION, THE  
23 DEPARTMENT SHALL AWARD A GRANT EQUAL TO THE COST OF PURCHASING AND  
24 INSTALLING EACH COMMUNICATION BOARD.

25 (II) A GRANT MAY NOT EXCEED \$3,000 FOR EACH  
26 COMMUNICATION BOARD THAT IS PURCHASED AND INSTALLED.

27 (3) THE DEPARTMENT SHALL PRIORITIZE THE AWARD OF GRANTS TO  
28 A LOCAL GOVERNING BODY THAT IS INSTALLING A COMMUNICATION BOARD IN A  
29 NEWLY CONSTRUCTED PLAY AREA.

30 (C) (1) ON OR BEFORE JULY 1, 2025, AND JULY 1, 2026, THE  
31 DEPARTMENT SHALL SUBMIT AN INTERIM REPORT TO THE GENERAL ASSEMBLY, IN  
32 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT  
33 PROVIDES AN EVALUATION OF THE PILOT PROGRAM.

1           **(2) ON OR BEFORE JULY 1, 2027, THE DEPARTMENT SHALL SUBMIT**  
 2 **A FINAL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF**  
 3 **THE STATE GOVERNMENT ARTICLE, ON THE PILOT PROGRAM, INCLUDING A**  
 4 **RECOMMENDATION ON WHETHER THE PILOT PROGRAM SHOULD BE CONTINUED.**

5 5-901.

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

7           (g) “Local governing body” means the Maryland–National Capital Park and  
 8 Planning Commission and the governing body of any county or Baltimore City.

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 10 ~~October~~ July 1, 2024. It shall remain effective for a period of 4 years and, at the end of June  
 11 30, 2028, this Act, with no further action required by the General Assembly, shall be  
 12 abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.