

SENATE BILL 526

L6

(3lr0743)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Environmental Matters —

Introduced by **Senators Colburn and Pipkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Counties and Municipalities – Required Legislation or Regulations –**
3 **Adoption by Reference**

4 FOR the purpose of authorizing a county or municipality to adopt certain State laws or
5 regulations by reference under certain circumstances; requiring certain counties
6 or municipalities to specify certain matters under certain circumstances;
7 providing that this Act does not affect any requirement that a county or
8 municipality form and maintain a local program, plan, or standard required
9 under any State law or regulation and does not grant more authority than is
10 granted by a State law or regulation that authorizes local options; and generally
11 relating to the adoption by reference of certain State laws or regulations by
12 counties and municipalities.

13 ~~BY adding to~~

14 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

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.

Italics indicate opposite chamber/conference committee amendments.



~~Section 1-113~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY renumbering

Article – Local Government
Section 1-1302 through 1-1308, respectively
to be Section 1-1303 through 1-1309, respectively
Annotated Code of Maryland
(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of
2013)

BY adding to

Article – Local Government
Section 1-1302
Annotated Code of Maryland
(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of
2013)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1-1302 through 1-1308, respectively, of Article – Local Government of the Annotated Code of Maryland be renumbered to be Section(s) 1-1303 through 1-1309, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

~~1-113.~~

Article – Local Government

1-1302.

(A) ~~NOTWITHSTANDING ANY OTHER LAW~~ SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF A STATE LAW OR REGULATION REQUIRES A COUNTY OR MUNICIPALITY TO ADOPT LEGISLATION OR A REGULATION AT LEAST AS STRICT OR EFFECTIVE AS THE APPLICABLE STATE LAW OR REGULATION, THE COUNTY OR MUNICIPALITY MAY ADOPT THE STATE LAW OR REGULATION BY REFERENCE.

(B) IF A COUNTY OR MUNICIPALITY ADOPTS A STATE LAW OR REGULATION BY REFERENCE, THE COUNTY OR MUNICIPALITY SHALL SPECIFY:

1 (1) ~~WHETHER~~ WHETHER IT ALSO ADOPTS BY REFERENCE ANY
2 AMENDMENTS TO THE STATE LAW OR REGULATION EFFECTIVE AFTER THE
3 LOCAL ADOPTION OF THE STATE LAW OR REGULATION BY REFERENCE; AND

4 (2) ~~ANY~~ ANY EXCEPTIONS TO THE STATE LAW OR REGULATION IF
5 THE STATE LAW OR REGULATION AUTHORIZES LOCAL OPTIONS.

6 (C) THE AUTHORIZATION UNDER SUBSECTION (A) OF THIS SECTION:

7 (1) DOES NOT AFFECT ANY REQUIREMENT THAT A COUNTY OR
8 MUNICIPALITY FORM AND MAINTAIN A LOCAL PROGRAM, PLAN, OR STANDARD,
9 INCLUDING IMPLEMENTATION AND ENFORCEMENT PROCESSES, REQUIRED
10 UNDER ANY STATE LAW OR ANY REGULATION ADOPTED UNDER THE AUTHORITY
11 OF THAT LAW; AND

12 (2) IF A STATE LAW OR REGULATION ADOPTED UNDER THE
13 AUTHORITY OF THAT LAW AUTHORIZES LOCAL OPTIONS, DOES NOT GRANT MORE
14 AUTHORITY THAN IS GRANTED BY THAT LAW OR REGULATION.

15 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
16 effect October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.