

Chapter 207

(Senate Bill 909)

AN ACT concerning

**Tri-County Council for Southern Maryland – ~~Powers – Property~~ Financing Interests Purchase or Lease of Property by Other Entities**

FOR the purpose of ~~authorizing the Tri-County Council for Southern Maryland to acquire, hold, lease, use, encumber, transfer, or dispose of property or any interest in property;~~ authorizing the Tri-County Council for Southern Maryland, in order to accomplish certain purposes, to use certain money to finance the purchase or lease of property only by the one or more specified Southern Maryland Agricultural Development Commission counties or, the Maryland Food Center Authority to accomplish certain purposes, or another entity, as determined by the Council, that is authorized to finance or purchase property; requiring the Council, under certain circumstances and in accordance with certain provisions of law, to prepare and issue a request for proposals, evaluate responses to the request, and select an entity to purchase or lease property; prohibiting the Council from owning or leasing property except a lease of office space for its own use; making this Act an emergency measure; and generally relating to the powers of the Tri-County Council for Southern Maryland.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 13-601(a) and (c) and 13-612(b)  
Annotated Code of Maryland  
(2008 Volume and 2014 Supplement)

~~BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 13-612(b)  
Annotated Code of Maryland  
(2008 Volume and 2014 Supplement)~~

BY adding to  
Article – Economic Development  
Section 13-612.1  
Annotated Code of Maryland  
(2008 Volume and 2014 Supplement)

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

**Article – Economic Development**

13-601.

- (a) In this subtitle the following words have the meanings indicated.
- (c) "Council" means the Tri-County Council for Southern Maryland.

13-612.

- (b) The Council may:

- (1) adopt a seal;
- (2) sue;
- (3) adopt bylaws and rules for the conduct of its business;
- (4) enter into contracts and agreements;
- (5) borrow money and accept advances, loans, grants, contributions, and any other form of assistance from the federal government, the State, or other public or private source;
- (6) give any required security;

~~(7) ACQUIRE, HOLD, LEASE, USE, ENCUMBER, TRANSFER, OR DISPOSE OF PROPERTY OR ANY INTEREST IN PROPERTY;~~

~~[(7)] (8)~~ include in any contract for financial assistance with the federal government any reasonable and appropriate condition imposed under federal law that is not inconsistent with the purposes of this subtitle; and

~~[(8)] (9)~~ execute any instrument and act as necessary, convenient, or desirable to carry out its powers and the purposes of this subtitle.

13-612.1.

~~To (A)~~ *SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, IN ORDER TO ACCOMPLISH THE PURPOSES OF THIS SUBTITLE, THE COUNCIL MAY USE ANY MONEY AVAILABLE UNDER THIS SUBTITLE TO IT TO FINANCE THE PURCHASE OR LEASE OF PROPERTY ONLY BY:*

~~(1) THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT COMMISSION~~ ONE OR MORE OF THE FOLLOWING SOUTHERN MARYLAND COUNTIES:

(i) ANNE ARUNDEL COUNTY;

**(II) CALVERT COUNTY;**

**(III) CHARLES COUNTY;**

**(IV) PRINCE GEORGE'S COUNTY; AND**

**(V) ST. MARY'S COUNTY; ~~OR~~**

**(2) THE MARYLAND FOOD CENTER AUTHORITY; OR**

**(3) ANOTHER ENTITY, AS DETERMINED BY THE COUNCIL, THAT IS AUTHORIZED TO FINANCE OR PURCHASE PROPERTY.**

**(B) IF THE COUNCIL DETERMINES THAT MONEY SHOULD BE USED TO FINANCE THE PURCHASE OR LEASE OF PROPERTY UNDER SUBSECTION (A) OF THIS SECTION, THE COUNCIL, IN ACCORDANCE WITH STATE PROCUREMENT LAW, SHALL:**

**(1) PREPARE AND ISSUE A REQUEST FOR PROPOSALS;**

**(2) EVALUATE RESPONSES TO THE REQUEST; AND**

**(3) SELECT AN ENTITY TO PURCHASE OR LEASE PROPERTY.**

**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COUNCIL MAY NOT OWN OR LEASE PROPERTY.**

**(2) THE COUNCIL MAY LEASE OFFICE SPACE FOR ITS OWN USE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

**Approved by the Governor, May 12, 2015.**