

HOUSE BILL 1101

M3, J1, M1

6lr0818

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2016

CHAPTER _____

1 AN ACT concerning

2 **Municipal Corporations – Closed Swimming Lake – Regulation**

3 **MC 32–16**

4 FOR the purpose of providing that certain closed swimming lakes are not subject to certain
5 regulations; requiring that a municipal corporation that maintains a closed
6 swimming lake establish a policy to assess and monitor the water quality of the lake;
7 requiring the policy to be consistent with certain requirements; defining a certain
8 term; and generally relating to the regulation of closed swimming lakes.

9 BY adding to

10 Article – Environment

11 Section 9–321.2

12 Annotated Code of Maryland

13 (2014 Replacement Volume and 2015 Supplement)

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

16 **Article – Environment**

17 **9–321.2.**

18 (A) IN THIS SECTION, “CLOSED SWIMMING LAKE” MEANS A BODY OF WATER
19 THAT:

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.



- 1 (1) IS NO MORE THAN 1.5 ACRES IN SURFACE AREA;
- 2 (2) IS USED FOR SWIMMING; AND
- 3 (3) DOES NOT HAVE A CIRCULATION SYSTEM.

4 (B) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, A
5 CLOSED SWIMMING LAKE LOCATED WITHIN AND MAINTAINED BY A MUNICIPAL
6 CORPORATION AND ONLY ACCESSIBLE TO RESIDENTS OF THE MUNICIPAL
7 CORPORATION IS NOT SUBJECT TO THE REGULATIONS THAT APPLY TO PUBLIC
8 BATHING BEACHES UNDER COMAR 26.08.09 OR ANY COUNTY REGULATIONS
9 RELATED TO PUBLIC SWIMMING FACILITIES.

10 (C) (1) ~~A~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A
11 MUNICIPAL CORPORATION THAT MAINTAINS A CLOSED SWIMMING LAKE SHALL
12 ESTABLISH A POLICY TO ASSESS AND MONITOR THE WATER QUALITY OF THE CLOSED
13 SWIMMING LAKE.

14 (2) THE POLICY ESTABLISHED UNDER THIS SUBSECTION SHALL BE
15 CONSISTENT WITH REQUIREMENTS UNDER:

- 16 (I) COMAR 26.08.09.06;
- 17 (II) COMAR 26.08.09.07; AND
- 18 (III) COMAR 26.08.09.08.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
20 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.