

HOUSE BILL 851

N1
HB 1365/16 – ENV

7lr0349

By: **Delegates Folden, Anderton, Angel, Arentz, Atterbeary, Beidle, Bromwell, Buckel, Carey, Carozza, Cassilly, Davis, Flanagan, Ghrist, Glass, Holmes, Hornberger, S. Howard, Jacobs, Kipke, Krimm, McComas, McConkey, McDonough, Metzgar, Miele, W. Miller, Otto, Pena–Melynk, Rose, Saab, Shoemaker, Simonaire, Szeliga, Tarlau, Vogt, B. Wilson, and C. Wilson**

Introduced and read first time: February 3, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Military Personnel – Limitation on Liability for Rent**

3 FOR the purpose of altering the circumstances under which the liability for rent under a
4 lease is limited for a person on active duty with the United States military; limiting
5 the liability for rent of the spouse of a person on active duty with the United States
6 military under certain circumstances; defining a certain term; and generally relating
7 to the liability for rent of certain military personnel and spouses.

8 BY repealing and reenacting, with amendments,
9 Article – Real Property
10 Section 8–212.1
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2016 Supplement)

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

Article – Real Property

16 8–212.1.

17 (A) IN THIS SECTION, “CHANGE OF ASSIGNMENT” INCLUDES:

18 (1) PERMANENT CHANGE OF STATION ORDERS;

19 (2) TEMPORARY DUTY ORDERS FOR A PERIOD EXCEEDING 90 DAYS;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) ORDERS REQUIRING A PERSON TO MOVE INTO QUARTERS**
2 **LOCATED ON A MILITARY INSTALLATION; AND**

3 **(4) A RELEASE FROM ACTIVE DUTY, INCLUDING:**

4 **(I) RETIREMENT;**

5 **(II) SEPARATION OR DISCHARGE UNDER HONORABLE**
6 **CONDITIONS; AND**

7 **(III) DEMOBILIZATION OF AN ACTIVATED RESERVIST OR A**
8 **MEMBER OF THE NATIONAL GUARD WHO WAS SERVING ON ACTIVE DUTY ORDERS**
9 **FOR AT LEAST 180 CONSECUTIVE DAYS.**

10 **(B)** Notwithstanding any other provision of this title, if a person who is on active
11 duty with the United States military, **OR THE PERSON'S SPOUSE**, enters into a residential
12 lease of property and **THE PERSON** subsequently receives [permanent change of station
13 orders or temporary duty orders for a period in excess of 3 months] **A CHANGE OF**
14 **ASSIGNMENT, BEFORE OR AFTER OCCUPYING THE PROPERTY**, any liability of the
15 person, **OR THE PERSON'S SPOUSE**, for rent under the lease may not exceed:

16 (1) 30 days' rent after written notice and proof of the **CHANGE OF**
17 assignment is given to the landlord; and

18 (2) The cost of repairing damage to the premises caused by an act or
19 omission of the tenant.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.