

HOUSE BILL 544

C8, L3

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CF SB 288

By: **Delegates Henson, Cain, Bagnall, Bartlett, Carey, Chang, Chisholm, Malone, Rogers, and Saab**

Introduced and read first time: January 27, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **City of Annapolis – Housing Authority – Prohibitions Against Exceptions to**
3 **Local Laws**

4 FOR the purpose of prohibiting a State public body from making an exception for the
5 Housing Authority of the City of Annapolis to a law, rule, regulation, or ordinance
6 that operates in Annapolis and relates to licensure or the inspection of real property;
7 and generally relating to the Housing Authority of the City of Annapolis.

8 BY repealing and reenacting, without amendments,
9 Article – Housing and Community Development
10 Section 12–201, 12–506(b)(9), 13–102, and 13–103
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2019 Supplement)

13 BY adding to
14 Article – Housing and Community Development
15 Section 13–112
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2019 Supplement)

18 Preamble

19 WHEREAS, The Housing Authority of the City of Annapolis remains among the
20 nation’s oldest housing authorities, as it was founded in 1937, with an intent to provide
21 decent, safe, and sanitary federally subsidized rental housing throughout the City of
22 Annapolis; and

23 WHEREAS, The City of Annapolis provides for the habitability, sanitation, health,
24 and safety of all rental housing in its borders through enforcement of the Charter and Code
25 of the City of Annapolis, including the Residential Property Maintenance Code, which is

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 administered through periodic code enforcement inspections; and

2 WHEREAS, The Housing Authority of the City of Annapolis, a public body, corporate
3 and politic, and the City of Annapolis, a political subdivision, are empowered by the
4 authority therein vested from the State of Maryland through acts of the General Assembly;
5 and

6 WHEREAS, The General Assembly acknowledges the utility of municipal
7 inspections of the 790 rental housing units owned and operated by the Housing Authority
8 of the City of Annapolis; now, therefore,

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

11 **Article – Housing and Community Development**

12 12–201.

13 Except as provided in § 12–208 of this subtitle, in each political subdivision, there is
14 a public body corporate and politic known as the “housing authority” of the political
15 subdivision or as otherwise designated in the articles of organization.

16 12–506.

17 (b) To aid and cooperate in the planning, undertaking, construction, or operation
18 of housing projects located wholly or partly in the area in which it may act, a State public
19 body, with or without consideration and on terms that it determines, may:

20 (9) plan, replan, zone, or rezone any part of the State public body, make
21 exceptions to its sanitary, building, housing, fire, health, subdivision, or other similar laws,
22 rules, regulations, and ordinances or make any changes to its map or master plan; and

23 13–102.

24 Title 12 of this article applies to the Annapolis Authority except where it is
25 inconsistent with this title.

26 13–103.

27 The Housing Authority of the City of Annapolis is a public body corporate and politic
28 that:

29 (1) exercises public and essential governmental functions; and

30 (2) has all the powers necessary or convenient to carry out the purposes of
31 this Division II.

1 13-112.

2 A STATE PUBLIC BODY MAY NOT MAKE AN EXCEPTION FOR THE ANNAPOLIS
3 AUTHORITY TO A LAW, A RULE, A REGULATION, OR AN ORDINANCE THAT:

4 (1) OPERATES IN THE CITY OF ANNAPOLIS; AND

5 (2) RELATES TO:

6 (I) LICENSURE; OR

7 (II) THE INSPECTION OF REAL PROPERTY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2020.