

# SENATE BILL 247

N1  
HB 217/19 – ENT

0lr0792  
CF HB 511

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By: **Senators Sydnor, Kelley, and Lam**  
Introduced and read first time: January 20, 2020  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 5, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore County – Nuisance Actions – Community Association Standing**

3 FOR the purpose of altering the definitions of “community association” and “local code  
4 violation” for purposes of certain provisions of law authorizing community  
5 associations to seek judicial relief for nuisance abatement in Baltimore County;  
6 repealing a provision of law requiring a certain court to determine in what amount  
7 and under what conditions a bond must be filed by a community association in a  
8 certain nuisance action; and generally relating to the right of community  
9 associations to seek judicial relief for nuisance abatement in Baltimore County.

10 BY repealing and reenacting, with amendments,  
11 Article – Real Property  
12 Section 14–125  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2019 Supplement)

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

17 **Article – Real Property**

18 14–125.

19 (a) (1) In this section the following words have the meanings indicated.

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### 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           (2) (I) “Community association” means a Maryland nonprofit  
2 ASSOCIATION, corporation, OR OTHER ORGANIZATION that IS:

3                   [(i) Is comprised of at least 20% of the total number of households as  
4 members, with a minimum membership of 25 households, of a local community that  
5 consists of 40 or more individual households as defined by specific geographic boundaries  
6 in the bylaws or charter of the community association;]

7                           **1. COMPOSED OF RESIDENTS OF A COMMUNITY**  
8 **DEFINED BY SPECIFIC GEOGRAPHIC BOUNDARIES IN THE BYLAWS OR CHARTER OF**  
9 **THE COMMUNITY ASSOCIATION AND WITHIN WHICH A NUISANCE IS LOCATED;**

10                   [(ii) Requires, as a condition of membership, the payment of  
11 monetary dues at least annually;]

12                   [(iii) **2. [Is operated] OPERATED** primarily for the promotion of  
13 social welfare and general neighborhood improvement and enhancement;

14                   [(iv) Has been in existence for at least 1 year when it files suit under  
15 this section;]

16                   [(v) **1.] 3. [Is exempt] EXEMPT** from taxation under §  
17 501(c)(3) or (4) OR § 528 of the Internal Revenue Code; [or

18                           **2.** Has been included for a period of at least 1 year prior to  
19 bringing an action under this section in the “Directory of Organizations in Baltimore  
20 County” that is published by the Baltimore County Public Library;] and

21                   [(vi) **4. [Is] INCORPORATED AND** in good standing WITH THE  
22 **STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.**

23                   **(II) “COMMUNITY ASSOCIATION” INCLUDES A MARYLAND**  
24 **NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT:**

25                           **1. MEETS THE REQUIREMENTS OF AN INDIVIDUAL**  
26 **COMMUNITY ASSOCIATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND**

27                           **2. REPRESENTS TWO OR MORE INDIVIDUAL COMMUNITY**  
28 **ASSOCIATIONS.**

29           (3) (I) “Local code violation” means a violation under **ARTICLE 13,**  
30 Title [22.] **7. “Nuisances” OR, EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
31 **PARAGRAPH, ARTICLE 35, “~~BUILDING~~ BUILDINGS AND HOUSING”** of the Baltimore  
32 County Code [1988] **2015.**





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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.