

Chapter 241

(House Bill 544)

AN ACT concerning

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

FOR the purpose of prohibiting a State public body from making an exception for the Housing Authority of the City of Annapolis to a law, rule, regulation, or ordinance that operates in Annapolis and relates to licensure or the inspection of real property, subject to certain exceptions; providing for the application of this Act; and generally relating to the Housing Authority of the City of Annapolis.

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

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

Preamble

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

WHEREAS, The City of Annapolis provides for the habitability, sanitation, health, and safety of all rental housing in its borders through enforcement of the Charter and Code of the City of Annapolis, including the Residential Property Maintenance Code, which is administered through periodic code enforcement inspections; and

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

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

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

Article – Housing and Community Development

12–201.

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

12–506.

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

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

13–102.

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

13–103.

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

(1) exercises public and essential governmental functions; and

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

13–112.

(A) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A STATE PUBLIC BODY MAY NOT MAKE AN EXCEPTION FOR THE ANNAPOLIS AUTHORITY TO A LAW, A RULE, A REGULATION, OR AN ORDINANCE THAT:

(1) OPERATES IN THE CITY OF ANNAPOLIS; AND

(2) RELATES TO:

(I) LICENSURE; OR

(II) THE INSPECTION OF REAL PROPERTY.

(B) A STATE PUBLIC BODY MAY, FOR THE ANNAPOLIS AUTHORITY:

(1) EXTEND THE TIME PERIOD, WITHIN AN INSPECTION CYCLE, FOR THE REINSPECTION OF A UNIT THAT FAILS AN INITIAL INSPECTION; OR

(2) WAIVE A FEE OR FINE THAT IS ASSOCIATED WITH THE LICENSURE OR INSPECTION OF REAL PROPERTY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any exception that a State public body made for the Housing Authority of the City of Annapolis to a law, rule, regulation, or ordinance relating to the licensure or inspection of real property before the effective date of this Act.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.