

HOUSE BILL 1371

C2

1lr3067

By: **Delegate Carr**

Introduced and read first time: March 1, 2021

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Landlord License**

3 FOR the purpose of requiring a person to have a landlord license to do business as a
4 landlord in the State; establishing a license fee for an applicant for a landlord license;
5 prohibiting a person who is issued a landlord license from prohibiting a cable
6 television company from entering a dwelling unit for a certain purpose or
7 discriminating based on certain grounds; authorizing a person who is issued a
8 landlord license to require compensation in exchange for installation of cable
9 television system equipment, at no cost to the landlord, and for a cable television
10 company to indemnify the landlord for certain damage; prohibiting a cable television
11 company from installing a cable television system in a dwelling unit without tenant
12 permission; establishing a penalty for a certain violation; altering the definition of
13 “license” to include a certain landlord license; defining certain terms; and generally
14 relating to landlord licenses and cable television companies and systems.

15 BY renumbering

16 Article – Business Regulation

17 Section 17–2101 through 17–2106, respectively, and the subtitle “Subtitle 21.
18 General Prohibited Acts; Penalties”

19 to be Section 17–2201 through 17–2206, respectively, and the subtitle “Subtitle 22.
20 General Prohibited Acts; Penalties”

21 Annotated Code of Maryland

22 (2015 Replacement Volume and 2020 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – Business Regulation

25 Section 17–201(a)

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2020 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Business Regulation
 2 Section 17–201(b)(24) and (25)
 3 Annotated Code of Maryland
 4 (2015 Replacement Volume and 2020 Supplement)

5 BY adding to
 6 Article – Business Regulation
 7 Section 17–201(b)(26) and 17–2101 through 17–2104 to be under the new subtitle
 8 “Subtitle 21. Landlord License”
 9 Annotated Code of Maryland
 10 (2015 Replacement Volume and 2020 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 12 That Section(s) 17–2101 through 17–2106, respectively, and the subtitle “Subtitle 21.
 13 General Prohibited Acts; Penalties” of Article – Business Regulation of the Annotated Code
 14 of Maryland be renumbered to be Section(s) 17–2201 through 17–2206, respectively, and
 15 the subtitle “Subtitle 22. General Prohibited Acts; Penalties”.

16 SECTION 2. BE IT FURTHER ENACTED, That the Laws of Maryland read as
 17 follows:

18 **Article – Business Regulation**

19 17–201.

20 (a) In this subtitle, “license” means a license issued by a clerk under this title.

21 (b) In this subtitle, “license” includes:

22 (24) a vending machine license issued under Subtitle 19 of this title; [and]

23 (25) a license to do business as a trading stamp issuer issued under Subtitle
 24 20 of this title; AND

25 **(26) A LANDLORD LICENSE ISSUED UNDER SUBTITLE 21 OF THIS**
 26 **TITLE.**

27 **SUBTITLE 21. LANDLORD LICENSE.**

28 **17–2101.**

29 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
 30 **INDICATED.**

31 **(B) “LANDLORD” MEANS AN OWNER OF A RESIDENTIAL RENTAL PROPERTY**
 32 **WHO OFFERS MORE THAN FIVE DWELLING UNITS FOR RENT ON A SINGLE PARCEL OF**

1 PROPERTY OR AT A SINGLE LOCATION.

2 (C) "LANDLORD LICENSE" MEANS A LICENSE ISSUED BY THE CLERK TO DO
3 BUSINESS AS A LANDLORD.

4 17-2102.

5 A PERSON MUST HAVE A LANDLORD LICENSE WHENEVER THE PERSON DOES
6 BUSINESS AS A LANDLORD IN THE STATE.

7 17-2103.

8 AN APPLICANT FOR A LANDLORD LICENSE SHALL PAY TO THE CLERK A
9 LICENSE FEE OF \$2 PER DWELLING UNIT FOR RENT UP TO A MAXIMUM TOTAL
10 AMOUNT OF \$100.

11 17-2104.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "CABLE TELEVISION COMPANY" MEANS A FRANCHISED OR
15 PRIVATE CABLE TELEVISION COMPANY.

16 (3) (I) "CABLE TELEVISION SYSTEM" MEANS A NONBROADCAST
17 FACILITY THAT CONSISTS OF A SET OF TRANSMISSION PATHS AND ASSOCIATED
18 SIGNAL GENERATION, RECEPTION, AND CENTRAL EQUIPMENT, UNDER COMMON
19 OWNERSHIP AND CONTROL, THAT DISTRIBUTES OR IS DESIGNED TO DISTRIBUTE TO
20 SUBSCRIBERS THE SIGNALS OF ONE OR MORE TELEVISION BROADCAST STATIONS.

21 (II) "CABLE TELEVISION SYSTEM" DOES NOT INCLUDE A
22 FACILITY THAT:

23 1. SERVES 49 OR FEWER SUBSCRIBERS; OR

24 2. SERVES ONLY SUBSCRIBERS IN ONE OR MORE
25 MULTIPLE DWELLING UNITS UNDER COMMON OWNERSHIP, CONTROL, OR
26 MANAGEMENT.

27 (4) "TENANT" MEANS THE LESSEE OR A PERSON OCCUPYING THE
28 PROPERTY, WHETHER OR NOT A PARTY TO A LEASE.

29 (B) A PERSON WHO IS ISSUED A LANDLORD LICENSE MAY NOT:

1 **(1) PROHIBIT OR OTHERWISE PREVENT A CABLE TELEVISION**
2 **COMPANY FROM ENTERING A DWELLING UNIT FOR THE PURPOSE OF**
3 **CONSTRUCTING, INSTALLING, OR SERVICING CABLE TELEVISION SYSTEM**
4 **EQUIPMENT IF A TENANT HAS REQUESTED CABLE TELEVISION SYSTEM SERVICE; OR**

5 **(2) DISCRIMINATE IN RENTAL OR OTHER CHARGES BASED ON A**
6 **CABLE TELEVISION SYSTEM SUBSCRIPTION.**

7 **(C) A PERSON WHO IS ISSUED A LANDLORD LICENSE MAY REQUIRE:**

8 **(1) COMPENSATION IN EXCHANGE FOR ALLOWING THE**
9 **INSTALLATION OF CABLE TELEVISION SYSTEM EQUIPMENT ON THE PARCEL OF**
10 **PROPERTY OR LOCATION; AND**

11 **(2) A CABLE TELEVISION COMPANY TO:**

12 **(I) INSTALL CABLE TELEVISION SYSTEM EQUIPMENT IN THE**
13 **DWELLING UNIT AT NO COST TO THE LANDLORD; AND**

14 **(II) INDEMNIFY THE LANDLORD FOR ANY DAMAGE THAT**
15 **RESULTS FROM THE INSTALLATION OR REMOVAL OF CABLE TELEVISION SYSTEM**
16 **EQUIPMENT.**

17 **(D) A CABLE TELEVISION COMPANY MAY NOT MAKE AN INSTALLATION OF A**
18 **CABLE TELEVISION SYSTEM IN AN INDIVIDUAL DWELLING UNIT UNLESS PERMISSION**
19 **HAS BEEN GIVEN BY THE TENANT OCCUPYING THE DWELLING UNIT.**

20 **(E) A PERSON WHO VIOLATES THIS SUBSECTION IS SUBJECT TO**
21 **SUSPENSION OR REVOCATION OF THE PERSON'S LANDLORD LICENSE ISSUED UNDER**
22 **THIS SUBTITLE.**

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2021.