

HOUSE BILL 354

F3
HB 253/20 – W&M

2lr1132

By: **Prince George's County Delegation**

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Nonschool Use of Public School Facilities**

3 **PG 505–22**

4 FOR the purpose of authorizing, in Prince George's County, the nonschool use of public
5 school facilities for public and community purposes, and the manner by which certain
6 costs are apportioned, to be regulated by local law consistent with certain use criteria
7 and not inconsistent with other provisions of law; authorizing a local law to provide
8 for an interagency coordinating board; requiring the members of an interagency
9 coordinating board to be appointed by the Prince George's County Executive and
10 confirmed by the Prince George's County Council in accordance with a local law; and
11 generally relating to the nonschool use of public school facilities in Prince George's
12 County.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 7–108
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2021 Supplement)

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

20 **Article – Education**

21 7–108.

22 (a) Each county board shall encourage the use of public school facilities for
23 community purposes.

24 (b) (1) If written application is made to the county superintendent, the county

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 board shall provide for the use of a public school facility for:

- 2 (i) The presentation and discussion of public questions;
- 3 (ii) Public speaking;
- 4 (iii) Lectures; or
- 5 (iv) Other civic, educational, social, or recreational purposes or
6 church affiliated civic purposes.

7 (2) These meetings shall be open to the public.

8 (3) The county board may refuse the use of any school facility for these
9 purposes if it appears that the use is likely to:

- 10 (i) Provoke or add to a public riot or breach of the peace; or
- 11 (ii) Create a clear and present danger to the peace and welfare of the
12 county or State.

13 (c) Each county board may permit a partisan political organization that has
14 polled 10 percent or more of the entire vote cast in this State in the last general election to
15 use public school facilities for programs and meetings that relate to a political campaign
16 for nomination or election of a candidate to public office.

17 (d) Each county board may permit the use of public school facilities for religious
18 or other lawful purposes.

19 (e) Subject to § 7–109 of this subtitle, school facilities may be used only at times
20 that will not interfere with regular school sessions or other bona fide school activities.

21 (f) In Montgomery County, nonschool use of school facilities for public and
22 community purposes and the manner by which costs associated with such use are
23 apportioned may be regulated by local law consistent with the use criteria set forth in §
24 7–110 of this subtitle and not inconsistent with any other provisions of this article. The
25 local law authorized by this subsection may provide for an interagency coordinating board
26 and for the appointment of its members by Montgomery County. Membership may include
27 the Superintendent of Schools, the President of Montgomery College, the members of the
28 Montgomery County Planning Board, and such other members as may be provided by the
29 local law.

30 **(G) (1) IN PRINCE GEORGE’S COUNTY, NONSCHOOL USE OF SCHOOL**
31 **FACILITIES FOR PUBLIC AND COMMUNITY PURPOSES AND THE MANNER BY WHICH**
32 **COSTS ASSOCIATED WITH A NONSCHOOL USE ARE APPORTIONED MAY BE**
33 **REGULATED BY LOCAL LAW CONSISTENT WITH THE USE CRITERIA SET FORTH IN §**
34 **7–110 OF THIS SUBTITLE AND NOT INCONSISTENT WITH ANY OTHER PROVISIONS OF**

1 THIS ARTICLE.

2 (2) THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION MAY PROVIDE
3 FOR AN INTERAGENCY COORDINATING BOARD.

4 (3) IF THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION PROVIDES
5 FOR AN INTERAGENCY COORDINATING BOARD, THE MEMBERS OF THE BOARD:

6 (i) SHALL BE APPOINTED BY THE PRINCE GEORGE'S COUNTY
7 EXECUTIVE AND CONFIRMED BY THE PRINCE GEORGE'S COUNTY COUNCIL IN
8 ACCORDANCE WITH LOCAL LAW GOVERNING CONFIRMATION OF ADMINISTRATIVE
9 APPOINTMENTS; AND

10 (ii) MAY INCLUDE THE CHIEF EXECUTIVE OFFICER OF THE
11 PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, THE MEMBERS OF THE
12 PRINCE GEORGE'S COUNTY PLANNING BOARD, AND OTHER MEMBERS AS MAY BE
13 PROVIDED IN THE LOCAL LAW.

14 [(g)] (H) In Talbot County, the county board may enter into a lease with an
15 organization that operates a community-based educational and recreational program to
16 use a public school facility if:

17 (1) The county board does not anticipate a need for the public school facility
18 during the term of the lease;

19 (2) The county board determines that the public school system will benefit
20 if the organization operates a community-based educational and recreational facility at the
21 public school facility; and

22 (3) The lease term is not longer than 99 years.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2022.