

HOUSE BILL 405

P1
HB 999/19 – HGO

0lr1504

By: ~~Delegate Mosby~~ Delegates Mosby, Bagnall, Barron, Carr, Charles, Cullison, Hill, Johnson, Kelly, Kerr, R. Lewis, Pena-Melnyk, Pendergrass, Rosenberg, and K. Young

Introduced and read first time: January 23, 2020
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 4, 2020

CHAPTER _____

1 AN ACT concerning

2 **State House Trust – Lawyer’s Mall – Thurgood Marshall Memorial Statues**

3 FOR the purpose of requiring the State House Trust to ensure that the Thurgood Marshall
4 Memorial statues on Lawyer’s Mall are maintained in the same material condition
5 in which they were on a certain date; providing that the Thurgood Marshall
6 Memorial statues on Lawyer’s Mall may be removed as necessary only under certain
7 conditions; prohibiting, except under certain circumstances, the Thurgood Marshall
8 Memorial statues from being removed from Lawyer’s Mall; defining a certain term;
9 making this Act subject to a certain contingency; and generally relating to the
10 maintenance of the Thurgood Marshall Memorial statues on Lawyer’s Mall by the
11 State House Trust.

12 BY repealing and reenacting, without amendments,
13 Article – State Government
14 Section 9–502
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – State Government
19 Section 9–505
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2019 Supplement)

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.



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

Article – State Government

9–502.

There is a State House Trust.

9–505.

(a) In addition to any duties set forth elsewhere, the Trust shall:

(1) be responsible for the restoration and preservation of the State House;

(2) be responsible for the landscaping and construction of Lawyer's Mall;

and

(3) disapprove or approve and supervise:

(i) any proposed repair, improvement, or other change to the State House or to any other building within State Circle, including any change to the furnishings or fixtures of those buildings;

(ii) any proposed landscaping of the grounds of those buildings; and

(iii) **SUBJECT TO SUBSECTION (C) OF THIS SECTION**, any proposed improvement, nonemergency repair, or other change to Lawyer's Mall.

(b) The Trust is not required under subsection (a)(2) or (3)(iii) of this section to be responsible for, or disapprove or approve and supervise, the coordination, security, and scheduling of rallies and other events held on Lawyer's Mall.

(C) (1) IN THIS SUBSECTION, "THURGOOD MARSHALL MEMORIAL STATUES" MEANS THE FOLLOWING STATUES THAT WERE LOCATED ON LAWYER'S MALL ON JULY 1, 2018:

(I) THE STATUE OF SUPREME COURT JUSTICE THURGOOD MARSHALL;

(II) THE STATUE OF TWO CHILDREN REPRESENTING THE BROWN V. BOARD OF EDUCATION OF TOPEKA DECISION, 347 U.S. 483 (1954); AND

1 **(III) THE STATUE OF DONALD GAINES MURRAY, THE PLAINTIFF**
2 **IN THE LAWSUIT BROUGHT BY THURGOOD MARSHALL THAT RESULTED IN THE**
3 **RACIAL INTEGRATION OF THE UNIVERSITY OF MARYLAND SCHOOL OF LAW.**

4 **(2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE TRUST**
5 **SHALL ENSURE THAT THE THURGOOD MARSHALL MEMORIAL STATUES ARE**
6 **MAINTAINED IN THE SAME MATERIAL CONDITION IN WHICH THEY WERE ON JULY 1,**
7 **2018.**

8 **(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,**
9 **THE THURGOOD MARSHALL MEMORIAL STATUES MAY NOT BE REMOVED FROM**
10 **LAWYER'S MALL.**

11 **(4) THE THURGOOD MARSHALL MEMORIAL STATUES MAY BE**
12 **REMOVED AS NECESSARY ONLY IF THEY ARE RETURNED AT THE EARLIEST**
13 **PRACTICABLE TIME TO THE SAME MATERIAL CONDITION IN WHICH THEY WERE**
14 **BEFORE THE REPAIR OR MAINTENANCE OCCURRED.**

15 **(5) FOR THE PURPOSES OF PARAGRAPH (4) OF THIS SUBSECTION,**
16 **THE THURGOOD MARSHALL MEMORIAL STATUES ARE IN THE SAME MATERIAL**
17 **CONDITION IF:**

18 **(I) THE STATUE OF SUPREME COURT JUSTICE THURGOOD**
19 **MARSHALL IS RETURNED TO THE EXACT LOCATION ON LAWYER'S MALL ON WHICH**
20 **IT STOOD ON JULY 1, 2018; AND**

21 **(II) THE THURGOOD MARSHALL MEMORIAL STATUES NOT**
22 **DESCRIBED IN ITEM (I) OF THIS PARAGRAPH ARE RETURNED TO THE EXACT**
23 **LOCATION ON LAWYER'S MALL ON WHICH THEY STOOD ON JULY 1, 2018, IF**
24 **PRACTICABLE.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on the
26 completion of the construction that the Department of General Services began on Lawyer's
27 Mall in August 2018. The Department of General Services shall notify the Department of
28 Legislative Services within 5 days after the construction has ended.

29 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this
30 Act, this Act shall take effect October 1, 2020.