

SENATE BILL 214

L1, E4

7lr0391

By: **Senators Brochin, Hough, Muse, and Salling**

Introduced and read first time: January 19, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Local Government – Public Nuisances – Restriction on Local “Padlock” Laws**

3 FOR the purpose of prohibiting a county from enacting or enforcing a local law that
4 authorizes the chief law enforcement officer to order the discontinuance of a public
5 nuisance on any premises or the closing of the premises to a certain extent, unless
6 the local law provides for a certain hearing before the issuance of the order; and
7 generally relating to public nuisances.

8 BY adding to

9 Article – Local Government

10 Section 13–411

11 Annotated Code of Maryland

12 (2013 Volume and 2016 Supplement)

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

15 **Article – Local Government**

16 **13–411.**

17 **(A) THIS SECTION APPLIES TO ALL COUNTIES, INCLUDING BALTIMORE**
18 **CITY.**

19 **(B) A COUNTY MAY NOT ENACT OR ENFORCE A LOCAL LAW THAT**
20 **AUTHORIZES THE CHIEF LAW ENFORCEMENT OFFICER TO ORDER THE**
21 **DISCONTINUANCE OF A PUBLIC NUISANCE ON ANY PREMISES OR THE CLOSING OF**
22 **THE PREMISES TO THE EXTENT NECESSARY TO ABATE A PUBLIC NUISANCE, UNLESS**
23 **THE LOCAL LAW PROVIDES FOR A HEARING BEFORE A CIRCUIT COURT JUDGE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WITHOUT THE NECESSITY OF A REQUEST BY THE OWNER OF THE PREMISES, BEFORE
2 THE ISSUANCE OF THE ORDER.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2017.