



Senate Bill 544

Charter and Code Home Rule Counties - County Property Leases - Notice Exemptions

MACo Position: **SUPPORT**

To: Education, Health, and Environmental
Affairs Committee

Date: February 23, 2021

From: Drew Jabin and Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** SB 544. This bill would grant charter and code home rule counties reasonable flexibility to enter into a lease without giving certain notice requirements if the lease is not renewable and has a term of five years or less.

The central tenet of the bill is sound – a short term, non-renewable lease should not trigger the full slate of public transparency requirements as a complete and permanent disposition of publicly owned property.

Under current law, before a charter or code home rule county makes any disposition, grant, or lease of county property, the county must publish notice of the disposition, grant, or lease once a week for 3 successive weeks in at least one newspaper of general circulation. The notice must include the terms and the compensation to be received and give opportunity for objections.

The number of local papers has declined over time, leaving local governments with few options. Some local papers may transition to online-only offerings, leaving a jurisdiction with no printed newspaper in which to publish notices. Further, requiring counties to publish public notices for short-term leases is expensive, time consuming, and inefficient.

This bill provides counties with flexible and optional tools to make short term property decisions, without obliging expensive and cumbersome procedures more suitable for permanent sales. For these reasons, MACo **SUPPORTS** SB 544.