

HOUSE BILL 918

C2

2lr0320

By: **Montgomery County Delegation**

Introduced and read first time: February 7, 2022

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Landlord and Tenant – Tenant Access to Cable Television**
3 **Systems and Equipment**

4 **MC 01–22**

5 FOR the purpose of establishing requirements for the installation and removal of cable
6 television systems within the individual dwelling units of leased residential property
7 in Montgomery County; authorizing a tenant, landlord, or cable television company
8 to bring an action in the District Court and a county to adopt local laws, ordinances,
9 or regulations to enforce the provisions of this Act; and generally relating to leased
10 residential property in Montgomery County.

11 BY adding to
12 Article – Real Property
13 Section 8–219
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2021 Supplement)

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

18 **Article – Real Property**

19 **8–219.**

20 (A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

22 (2) “CABLE TELEVISION COMPANY” MEANS A FRANCHISED OR
23 PRIVATE CABLE TELEVISION COMPANY.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

1. 49 OR FEWER SUBSCRIBERS; OR

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

(B) THIS SECTION APPLIES ONLY TO RESIDENTIAL RENTAL PROPERTY IN MONTGOMERY COUNTY WITH MORE THAN FIVE RESIDENTIAL DWELLING UNITS FOR RENT ON A SINGLE PARCEL OF PROPERTY OR AT A SINGLE LOCATION.

(C) A LANDLORD MAY NOT:

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

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

(D) A LANDLORD MAY REQUIRE:

(1) COMPENSATION THAT IS COMPETITIVELY NEUTRAL AND NONDISCRIMINATORY IN EXCHANGE FOR ALLOWING THE INSTALLATION OF CABLE TELEVISION SYSTEM EQUIPMENT ON THE PARCEL OF PROPERTY; AND

(2) THAT A CABLE TELEVISION COMPANY INDEMNIFY THE LANDLORD FOR ANY DAMAGE THAT RESULTS FROM THE INSTALLATION OR REMOVAL OF CABLE TELEVISION SYSTEM EQUIPMENT.

(E) A CABLE TELEVISION COMPANY MAY NOT:

(1) CHARGE A LANDLORD FOR THE INSTALLATION OF CABLE TELEVISION EQUIPMENT IN AN INDIVIDUAL DWELLING UNIT THAT WAS REQUESTED

1 BY A TENANT; OR

2 (2) INSTALL A CABLE TELEVISION SYSTEM IN AN INDIVIDUAL
3 DWELLING UNIT UNLESS PERMISSION HAS BEEN GIVEN BY THE TENANT OCCUPYING
4 THE DWELLING UNIT.

5 (F) A TENANT, LANDLORD, OR CABLE TELEVISION COMPANY MAY BRING AN
6 ACTION IN THE DISTRICT COURT TO ENFORCE THE PROVISIONS OF THIS SECTION.

7 (G) A COUNTY MAY ADOPT A LOCAL LAW, ORDINANCE, OR REGULATION TO
8 ENFORCE THE PROVISIONS OF THIS SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2022.