

SENATE BILL 849

F3
HB 1449/17 – W&M

EMERGENCY BILL

3lr0726
CF HB 798

By: **Senator Carter**

Introduced and read first time: February 6, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Modifying or Closing Public School Facility – Review by**
3 **Community Task Force**

4 FOR the purpose of requiring that, before the Baltimore City Board of School
5 Commissioners takes final action concerning the continued use of a certain public
6 school facility, the president of the local community association of the community
7 where the public school facility is located shall appoint a certain community task
8 force to take certain actions; providing for the retroactive application of this Act to
9 any final action taken by the Baltimore City Board of School Commissioners on
10 certain matters on or after a certain date; and generally relating to the modification
11 or closure of programs and public school facilities in Baltimore City and the
12 engagement of a community task force to review and make recommendations
13 concerning the use of the public school facility.

14 BY repealing and reenacting, without amendments,
15 Article – Education
16 Section 4–301(g)
17 Annotated Code of Maryland
18 (2022 Replacement Volume)

19 BY adding to
20 Article – Education
21 Section 4–321
22 Annotated Code of Maryland
23 (2022 Replacement Volume)

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

26 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-301.

2 (g) "Public school facility" means a building, parking facility, athletic facility,
3 testing facility, or other facility in the City of Baltimore, now existing or hereafter acquired
4 or constructed, that is used by the board in relation to the education of students in the
5 Baltimore City Public School System.

6 4-321.

7 (A) THIS SECTION APPLIES WHEN THE BOARD CONSIDERS WHETHER TO:

8 (1) DISCONTINUE A PROGRAM OFFERED TO STUDENTS ENROLLED IN
9 THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM AND CLOSE THE PUBLIC SCHOOL
10 FACILITY IN WHICH THE PROGRAM IS HOUSED;

11 (2) CLOSE A PUBLIC SCHOOL FACILITY AND DECLARE THE PUBLIC
12 SCHOOL FACILITY AS SURPLUS PROPERTY; OR

13 (3) MODIFY THE ONGOING USE OF AN ACADEMIC SPACE IN A PUBLIC
14 SCHOOL FACILITY.

15 (B) (1) BEFORE THE BOARD TAKES FINAL ACTION ON A MATTER
16 DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION, THE PRESIDENT OF THE
17 LOCAL COMMUNITY ASSOCIATION OF THE COMMUNITY WHERE THE PUBLIC SCHOOL
18 FACILITY IS LOCATED SHALL APPOINT A COMMUNITY TASK FORCE TO EXAMINE AND
19 MAKE RECOMMENDATIONS CONCERNING ANY FUTURE USE OF THE PUBLIC SCHOOL
20 FACILITY, INCLUDING ANY REAL PROPERTY THAT IS PART OF THE PUBLIC SCHOOL
21 FACILITY.

22 (2) THE COMMUNITY TASK FORCE SHALL INCLUDE:

23 (I) RESIDENTS OF THE COMMUNITY WHERE THE PUBLIC
24 SCHOOL FACILITY IS LOCATED; AND

25 (II) REPRESENTATIVES OF INSTITUTIONAL ORGANIZATIONS
26 THAT ARE LOCATED IN OR THAT SERVE RESIDENTS IN THE COMMUNITY WHERE THE
27 PUBLIC SCHOOL FACILITY IS LOCATED.

28 (C) RESIDENT MEMBERS OF THE COMMUNITY TASK FORCE SHALL SIGN THE
29 SALE CONTRACT FOR ANY REAL PROPERTY THAT IS PART OF THE PUBLIC SCHOOL
30 FACILITY TO BE SOLD.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
32 apply retroactively and shall be applied to and interpreted to affect any final action taken

1 by the Baltimore City Board of School Commissioners on or after January 11, 2023, on a
2 matter described under § 4–321(a) of the Education Article, as enacted by Section 1 of this
3 Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
5 measure, is necessary for the immediate preservation of the public health or safety, has
6 been passed by a yea and nay vote supported by three–fifths of all the members elected to
7 each of the two Houses of the General Assembly, and shall take effect from the date it is
8 enacted.