

HOUSE BILL 253

F3

0lr1249

By: **Prince George's County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Nonschool Use of Public School Facilities**

3 **PG 504–20**

4 FOR the purpose of authorizing, in Prince George's County, the nonschool use of public
5 school facilities for public and community purposes, and the manner by which certain
6 costs are apportioned, to be regulated by local law consistent with certain use criteria
7 and not inconsistent with certain other provisions of law; authorizing a certain local
8 law to provide for an interagency coordinating board; requiring the members of a
9 certain interagency coordinating board to be appointed by the Prince George's
10 County Executive and confirmed by the Prince George's County Council in
11 accordance with a certain local law; providing for the membership of a certain
12 interagency coordinating board; and generally relating to the nonschool use of public
13 school facilities in Prince George's County.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–108
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2019 Supplement)

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

21 **Article – Education**

22 7–108.

23 (a) Each county board shall encourage the use of public school facilities for
24 community purposes.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) (1) If written application is made to the county superintendent, the county board shall provide for the use of a public school facility for:

(i) The presentation and discussion of public questions;

(ii) Public speaking;

(iii) Lectures; or

(iv) Other civic, educational, social, or recreational purposes or church affiliated civic purposes.

(2) These meetings shall be open to the public.

(3) The county board may refuse the use of any school facility for these purposes if it appears that the use is likely to:

(i) Provoke or add to a public riot or breach of the peace; or

(ii) Create a clear and present danger to the peace and welfare of the county or State.

(c) Each county board may permit a partisan political organization that has polled 10 percent or more of the entire vote cast in this State in the last general election to use public school facilities for programs and meetings that relate to a political campaign for nomination or election of a candidate to public office.

(d) Each county board may permit the use of public school facilities for religious or other lawful purposes.

(e) Subject to § 7–109 of this subtitle, school facilities may be used only at times that will not interfere with regular school sessions or other bona fide school activities.

(f) In Montgomery County, nonschool use of school facilities for public and community purposes and the manner by which costs associated with such use are apportioned may be regulated by local law consistent with the use criteria set forth in § 7–110 of this subtitle and not inconsistent with any other provisions of this article. The local law authorized by this subsection may provide for an interagency coordinating board and for the appointment of its members by Montgomery County. Membership may include the Superintendent of Schools, the President of Montgomery College, the members of the Montgomery County Planning Board, and such other members as may be provided by the local law.

(G) (1) IN PRINCE GEORGE'S COUNTY, NONSCHOOL USE OF PUBLIC SCHOOL FACILITIES FOR PUBLIC AND COMMUNITY PURPOSES AND THE MANNER BY WHICH COSTS ASSOCIATED WITH A NONSCHOOL USE ARE APPORTIONED MAY BE REGULATED BY LOCAL LAW CONSISTENT WITH THE USE CRITERIA SET FORTH IN §

1 **7–110 OF THIS SUBTITLE AND NOT INCONSISTENT WITH ANY OTHER PROVISION OF**
2 **THIS ARTICLE.**

3 **(2) THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION MAY PROVIDE**
4 **FOR AN INTERAGENCY COORDINATING BOARD.**

5 **(3) IF THE LOCAL LAW AUTHORIZED BY THIS SUBSECTION PROVIDES**
6 **FOR AN INTERAGENCY COORDINATING BOARD, THE MEMBERS OF THE BOARD:**

7 **(I) SHALL BE APPOINTED BY THE PRINCE GEORGE’S COUNTY**
8 **EXECUTIVE AND CONFIRMED BY THE PRINCE GEORGE’S COUNTY COUNCIL IN**
9 **ACCORDANCE WITH LOCAL LAW GOVERNING CONFIRMATION OF ADMINISTRATIVE**
10 **APPOINTMENTS; AND**

11 **(II) MAY INCLUDE THE CHIEF EXECUTIVE OFFICER OF THE**
12 **PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM, THE MEMBERS OF THE**
13 **PRINCE GEORGE’S COUNTY PLANNING BOARD, AND OTHER MEMBERS AS MAY BE**
14 **PROVIDED IN THE LOCAL LAW.**

15 **[(g)] (H)** In Talbot County, the county board may enter into a lease with an
16 organization that operates a community–based educational and recreational program to
17 use a public school facility if:

18 (1) The county board does not anticipate a need for the public school facility
19 during the term of the lease;

20 (2) The county board determines that the public school system will benefit
21 if the organization operates a community–based educational and recreational facility at the
22 public school facility; and

23 (3) The lease term is not longer than 99 years.

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
25 **1, 2020.**