

HOUSE BILL 444

L5

1lr0403

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

Introduced and read first time: January 15, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2021

CHAPTER _____

1 AN ACT concerning

2 ~~**Maryland National Capital Park and Prince George's County Planning**~~
3 ~~**Commission Board – Innovative Recreation Youth Program Nontraditional**~~
4 ~~**Recreational Opportunities – Establishment and Fund**~~

5 **MC/PG 104-21**

6 FOR the purpose of requiring the Prince George's County planning board to include
7 nontraditional recreational opportunities in their program of recreation; establishing
8 the Nontraditional Recreation Fund; requiring ~~an Innovative Recreation Youth~~
9 ~~Program in the Maryland-National Capital Park and Planning Commission to~~
10 record certain revenues in the Fund; specifying the purpose for which certain
11 revenues may be used; ~~requiring the Commission to develop and implement the~~
12 ~~Program; providing for the purpose of the Program; authorizing certain recreational~~
13 ~~opportunities to include certain offerings; requiring the Governor, beginning and~~
14 ~~ending in certain fiscal years, to include in the annual budget bill a certain~~
15 ~~appropriation to the Program; defining a certain term~~ terms; and generally relating
16 to the ~~Maryland National Capital Park and Planning Commission and the~~
17 ~~Innovative Recreation Youth Program~~ nontraditional recreational opportunities.

18 BY ~~adding to~~ repealing and reenacting, with amendments,

19 Article – Land Use

20 ~~Section 26-201 through 26-204 to be under the new subtitle “Subtitle 2. Innovative~~
21 ~~Recreation Youth Program”~~ Section 25-801

22 Annotated Code of Maryland

23 (2012 Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

Article – Land Use

25–801.

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

(2) (i) “NONTRADITIONAL RECREATIONAL OPPORTUNITIES” MEANS SPORTS, RECREATIONAL ACTIVITIES, PROGRAMS, OR FACILITIES IN THE COUNTY WITH A REASONABLE PROMISE OF GROWTH IN:

1. POPULARITY; OR

2. PARTICIPATION OR DEMAND AMONG YOUTH POPULATIONS THAT ARE OTHERWISE UNDER–REPRESENTED OR UNDERSERVED BY TRADITIONAL RECREATIONAL ACTIVITIES.

(ii) “NONTRADITIONAL RECREATIONAL OPPORTUNITIES” MAY INCLUDE:

1. SKATE PARKS;

2. LACROSSE WALLS;

3. REMOTE–CONTROLLED CAR COURSES;

4. PICKLEBALL COURTS;

5. DISC GOLF COURSES;

6. CRICKET FIELDS;

7. PUMP TRACKS; AND

8. ANY OTHER NEW OR INNOVATIVE RECREATION OR LEISURE ACTIVITY RECOMMENDATION INCLUDED IN A PARK AND RECREATION PLAN.

(3) “PARK AND RECREATION PLAN” MEANS:

1 **(I) A FUNCTIONAL MASTER PLAN OF PARKS AND OPEN SPACES**
2 **ADOPTED UNDER § 21-106(A)(3) OF THIS ARTICLE; OR**

3 **(II) A LOCAL LAND PRESERVATION AND RECREATION PLAN**
4 **APPROVED UNDER § 5-905(B) OF THE NATURAL RESOURCES ARTICLE.**

5 **[(a)] (B)** The county planning board shall:

6 (1) provide an adequate and balanced program of recreation to serve the
7 needs and interests of various age groups among the residents of the county **THAT**
8 **INCLUDES APPROPRIATE NONTRADITIONAL RECREATIONAL OPPORTUNITIES;**

9 (2) offer a comprehensive youth sports program that provides a variety of
10 sports programming, leagues, and teams throughout the county; and

11 (3) coordinate the programs with the Commission's park functions.

12 **[(b)] (C)** The county planning board may develop programs of recreation that
13 may include physical, social, mental, and creative opportunities that the county planning
14 board considers appropriate to offer in:

15 (1) major recreation centers, playfields, athletic fields, playgrounds, tennis
16 courts, baseball diamonds, swimming pools, golf courses, community centers, and social
17 centers on publicly or privately owned land or buildings made available for these purposes
18 or over which the county planning board has sole or joint jurisdiction; or

19 (2) land or buildings of a municipal corporation or political subdivision in
20 the county, if the municipal corporation or political subdivision requests the services of the
21 county planning board.

22 **[(c)] (D)** (1) The county planning board may contract with recreation or
23 sports groups or associations to incorporate the activities of the groups or associations into
24 the programs established by the county planning board under this subtitle.

25 (2) Notwithstanding paragraph (1) of this subsection, as part of the
26 programs established under this subtitle the county planning board shall create a youth
27 sports division to:

28 (i) coordinate youth sports programming, leagues, and teams; and

29 (ii) incorporate youth sports activities into the programs.

30 **(E) (1) THERE IS A NONTRADITIONAL RECREATION FUND.**

(2) THE NONTRADITIONAL RECREATION FUND SHALL FINANCE AND ACCOUNT FOR THE DEVELOPMENT AND MAINTENANCE OF NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN THE COUNTY.

(3) THE COMMISSION SHALL RECORD REVENUES FROM THE DEVELOPMENT AND MAINTENANCE OF NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN THE COUNTY IN THE NONTRADITIONAL RECREATION FUND.

(4) THE COMMISSION SHALL USE THE REVENUES OF THE NONTRADITIONAL RECREATION FUND:

(I) FOR CAPITAL IMPROVEMENT PROJECTS THAT CONTRIBUTE TO PROVIDING NONTRADITIONAL RECREATIONAL OPPORTUNITIES;

(II) TO PROVIDE PATRONS OF THE COMMISSION ACCESS TO EQUIPMENT NECESSARY TO PARTICIPATE IN NONTRADITIONAL RECREATIONAL OPPORTUNITIES; AND

(III) FOR SUPPLIES AND OTHER DIRECT PROGRAM COSTS ASSOCIATED WITH PROVIDING NONTRADITIONAL RECREATIONAL OPPORTUNITIES IN ACCORDANCE WITH THIS SECTION.

~~SUBTITLE 2. INNOVATIVE RECREATION YOUTH PROGRAM.~~

~~26-201.~~

~~IN THIS SUBTITLE, "PROGRAM" MEANS THE INNOVATIVE RECREATION YOUTH PROGRAM.~~

~~26-202.~~

~~THE COMMISSION SHALL DEVELOP AND IMPLEMENT AN INNOVATIVE RECREATION YOUTH PROGRAM.~~

~~26-203.~~

~~(A) THE PURPOSE OF THE PROGRAM IS TO INTEGRATE NONTRADITIONAL RECREATIONAL OPPORTUNITIES INTO THE COMMISSION'S EXISTING RECREATIONAL PROGRAMS OFFERED IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.~~

~~(B) NONTRADITIONAL RECREATIONAL OPPORTUNITIES UNDER SUBSECTION (A) OF THIS SECTION MAY INCLUDE:~~

~~(1) SKATE PARKS;~~

~~(2) LACROSSE WALLS; AND~~

~~(3) REMOTE CONTROLLED CAR COURSES.~~

~~26-204.~~

~~BEGINNING IN FISCAL YEAR 2023 AND ENDING IN FISCAL YEAR 2027, THE
GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
\$2,000,000 EACH YEAR TO THE PROGRAM.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.