

LA Perez | Legislative Report – December 2024

Good Morning Michelle,

I hope you are doing well. I am writing to inform you about the legislative actions taken so far. This week has been a busy week. We are all following the Prince George's County Delegation's priorities. They held their Bill Hearing this past week. A total of 32 Bills were covered and the event lasted close to 3 hours.

I attended several District Legislative information Session. At the county level, the 2024 legislative cycle ended on Nov 30 and the 2025 session cycle began on Dec 1. It is also important to note that bills that do not possess a precise funding mechanism are held in limbo if funding is required. The Senior Tax Credit would be an example of this.

Please look at the attached bill tracker; these are the local bills (state) that were covered this week. If you could let me know any that are of interest and you definitely want to follow. Below are my recommendations:

PG-407-25, PG405-25, PG412-25 (There are costs associated with municipalities for abandon property. Language should open the door for them as well). PG301-25 (Same theme, no Chief Association/local coordination or implementation, MC/PG 17-25 Fairness and Zoning (Negative bill in the past to WATCH); MC/PG 114-24, MC/PG 16-25.

Local Updates

High-Level Overview

County Expectations for Landlords Under Emergency Preparation and Housing Compliance (CB-107-2024 and Related Bills)

The County has introduced significant new regulations for landlords managing senior housing facilities, garden-style apartments, and short-term rentals. These measures are designed to enhance tenant safety, ensure property compliance, and address housing challenges. Below is a concise overview to guide municipal clients on key aspects and compliance requirements.

Key Compliance Expectations for Senior Housing Facilities (CB-107-2024)

1. Emergency Preparedness

- Evacuation Plans:
 - Create plans adhering to the *Maryland Life Safety Code 2018*.
 - Make plans publicly accessible onsite and online.
 - Include evacuation maps, fire alarm types, and extinguisher locations.

- Accessibility for Vulnerable Residents:
 - Provide optional stickers (via the County Fire Department) to identify units of residents with disabilities. (Potential municipal advocacy: Make mandatory.)
- 24-Hour Emergency Contact:
 - Maintain and share emergency numbers with tenants and display them prominently.

2. Enhanced Security Measures for High-Occupancy Properties

- Surveillance:
 - Install 1080p security cameras covering key areas; retain footage for 30-180 days depending on the incident.
- Maintenance Accountability:
 - Address safety/security defects within 14 business days of notification; non-compliance incurs \$500/day fines.

3. Policy Recommendations

- Implement tenant education and evacuation drills.
- Encourage landlords to leverage available financial assistance for security upgrades (e.g., \$5,000 rebate programs).

Rent Control Measures (CB-097-2024)

1. Cap on Rent Increases:

- Limit annual rent hikes to 15% of the base rent (inclusive of fees).
- Example: A \$1,000 rent can increase by a maximum of \$150/year.
- Landlord Obligations:
 - Notify tenants of increases via lease updates or written notices.
 - Maintain indefinite records of rent changes and communications.

2. Advocacy and Data Monitoring:

- Encourage collaboration with local institutions to assess the policy's impact on housing affordability and availability.

Garden-Style Apartments (CB-071-2024)

1. Expanded Definitions:

- These regulations now explicitly apply to multiple-building properties without elevators.

2. Security and Maintenance:

- Required Upgrades:
 - Security gates, proper lighting, functional locks, and alarm systems.
 - Install surveillance cameras covering perimeters and common areas.
- Emergency Contact:
 - Provide 24-hour contact details to tenants, post visibly onsite, and include in new leases.
- Timeline and Legal Requirements:
 - Implementation timelines forthcoming; updates to leases and tenant notifications required.

Municipal Recommendations:

- Conduct security audits to identify compliance gaps.
 - Create incentives for timely upgrades to safety and security infrastructure.
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Short-Term Rentals (CB-066-2024)

1. Licensing and Operations:

- Operators must obtain a County license; provisional 90-day certificates available during application reviews.
- Rentals capped at 180 days annually (owner-occupied and non-owner-occupied days cannot combine).

2. Database and Monitoring:

- Private and public databases will track operators and provide access to emergency contacts.
- Municipal officials encouraged to validate compliance and address local concerns, such as parking or noise restrictions.

3. Advocacy for Local Enhancements:

- Recommend localized ordinances for noise and parking restrictions to complement County regulations.
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Strategic Municipal Engagement

- Assist landlords in navigating these new requirements.
- Partner with County departments to streamline financial aid for compliance projects.
- Monitor implementation timelines and provide feedback to ensure regulations are practical and beneficial for all stakeholders.

Overview: CB-016-2024

Introducing Regulations for Late-Night Businesses in Prince George's County, Maryland

This proposed act outlines new public safety requirements for businesses operating during late-night hours. Below is a summary of the act's purpose, key elements, and implementation timeline.

Purpose

CB-016-2024 aims to enhance public safety by requiring late-night businesses to:

- Obtain an approved *Late-Night Safety Plan* from the Prince George's County Police Department.
 - Operate in compliance with the approved plan, valid for three years and subject to renewal upon expiration.
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Key Definitions

- **Late-Night Business:** Any commercial establishment open to the public between 12:00 AM and 4:00 AM.
 - **Late-Night Safety Plan:** A security framework approved by the police department outlining required safety measures.
 - **Priority Areas:** Regions identified by higher crime rates or emergency call volumes.
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Key Provisions

1. Mandatory Safety Plan

Late-night businesses must submit and adhere to an approved safety plan that includes:

- Emergency evacuation procedures.
- 24-hour management contact information.

- External lighting, security cameras, or security personnel (as required).
- Acknowledgment of County-provided safety training.

2. Security Camera Requirements

- High-definition cameras may be required at entry points and must cover designated areas.
- Signage must notify the public of video surveillance.

3. Exemptions

The following establishments are not subject to this act:

- Hospitals and healthcare facilities.
- Lodging establishments.
- Movie theaters.

4. Penalties

- Businesses operating without an approved safety plan face fines of up to \$1,000 per day.

5. Annual Reporting

The Prince George's County Police Department must report biennially to the County Council, detailing:

- The number of safety plans reviewed and pending approval.
- Crime data trends before and after plan implementation.

6. Grant Program Recommendation

The act recommends the creation of a grant program to help businesses implement necessary safety measures.

Implementation Timeline

- The police department must establish and publish safety plan regulations within 180 days of the act's enactment.
- Businesses must comply within 60 days of the regulation's publication.

CB-007-2024:

Pros:

1. **Enhanced Support for Seniors:**
 - The revised tax credit provides a clear financial benefit to eligible elderly homeowners, allowing them to save 20% on their county property taxes.
 - Separating the elderly tax credit from the Homestead and Homeowner's Property Tax Credit provides an additional layer of support rather than diluting existing benefits. The big difference is that the two were not separated before, and their impact was limited.
2. **Increased Accessibility:**
 - The act simplifies the process for elderly individuals who applied but did not initially receive the full credit or were underpaid, ensuring they are notified and granted eligibility retroactively.
 - Automatic eligibility for those already qualified under the older requirements reduces the administrative burden of reapplying.
 - BLUF: Nothing is needed to do for people who were shortchanged or didn't realize that qualified under previous legislation in 2022.
3. **Transparency and Accountability:**
 - The requirement for the Director of Finance to submit an annual report ensures better oversight, including detailed data on applications, approvals, denials, and the dollar value of credits granted. This did not exist before, so we did not have data/statics etc on the program.
4. **Economic Stability for Seniors:**
 - Helps seniors remain in their homes by offsetting rising property tax burdens, fostering stability in communities with a growing elderly population.
5. **Boost to Equity:**
 - By excluding the elderly tax credit from other tax credit calculations, the measure prevents indirect reductions in other benefits seniors might qualify for.
6. **Cons:**
7. **Revenue Impact on County's Budgets:**
 1. The county is estimated to have an annual net loss of 11 million dollars over this credit. The county is also, 178 million in debt and has underfunded schools, firefighters, and police. Getting this into the budget will be challenging.
8. **Administrative Challenges:**
 - The retroactive adjustments and outreach to previously denied or underpaid applicants may require significant administrative resources, potentially delaying implementation.
 - Accurate recalculations and processing for prior years could introduce logistical and staffing burdens and a need for more collected data, as underlined in the current bill.
 - No funding mechanism is attached to the bill.
9. **Limited Eligibility Criteria:**

- The 25-year continuous residency requirement may exclude elderly individuals who are long-term residents but have moved within the county or recently purchased a home. This could create perceptions of unfairness or inequity.
- 10. Unintended Consequences of Assessed Value Cap:**
- The \$500,000 assessed value cap may not account for areas with rapidly appreciating property values, limiting the number of eligible residents in higher-cost regions.
- 11. Potential Legal Challenges:**
- The severability clause anticipates possible legal disputes over the act's provisions, which could delay or complicate implementation.

CB-086-2024: An amendment to existing laws in Prince George's County concerning abandoned vehicles and towing regulations. The bill outlines several key changes:

Summary of Key Provisions:

- 1. Abandoned Vehicles:**
 - **Definition Expansion:** Updates and specifies what constitutes an abandoned vehicle, including inoperability, illegal presence, or missing valid registration plates.
 - **Increased Penalties:**
 - First violation: Fine increased from \$50 to \$100.
 - Second violation: \$500 fine.
 - Subsequent violations: \$1,000 fine.
 - **Curbstoning** (unauthorized vehicle sales on public property): Fine up to \$1,000 per offense.
 - Enforcement responsibility assigned to the Revenue Authority of Prince George's County.
- 2. Towing Services:**
 - **Licensing Requirements:**
 - Operating without a license now incurs a fine of \$5,000 (up from \$1,000), imprisonment of up to six months, or both.
 - **Prohibited Practices:**
 - Towing vehicles more than 15 miles from their removal point without proper consent.
 - Misrepresentation of towing affiliations or services.
 - Leaving an abandoned vehicle at a location without authorization.
 - **Police-Directed Towing:**
 - Tow operators must follow strict police procedures for accident or breakdown scenes.
 - Violations incur fines of \$5,000 (up from \$1,000) or imprisonment up to six months.

3. **Penalties for Violations:**

- Increases fines for improper towing practices and unlicensed operations.
- Introduces stricter regulations for compliance and inspection of towing logs and operations.

4. **License Revocation and Suspension:**

- Grounds for denial or revocation include non-compliance, misleading statements, or criminal activity.
- Violations of any towing laws or failure to maintain required records may result in license suspension or refusal for renewal.

i. **Enforcement:**

- Empowering the Revenue Authority to enforce abandoned vehicle provisions could streamline processes.

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CB-089-2024 outlines detailed regulatory amendments to Prince George's County Code concerning rental housing licenses. The act is aimed at enhancing compliance, increasing penalties for violations. Here's a summary of key provisions:

1. **License Requirement Clarifications**

- Strengthens proof-of-exemption requirements.
- Provides scenarios where single-family rental facilities may be exempt from licensing, such as familial tenancy or relocation circumstances.

2. **License Issuance and Denial**

- Mandates compliance with zoning (Use and Occupancy Permit) as a prerequisite for rental license approval.

3. **Penalties for Noncompliance**

- Increases penalties for operating without a valid license to up to \$5,000 per month.
- Implements a progressive penalty structure for repeat violations.

4. **License Suspension and Revocation**

- Establishes immediate suspension procedures for serious health and safety violations.
- Requires detailed notices and hearings prior to revocation.
- Introduces public postings on properties without valid licenses to deter unlawful occupancy.

5. **Appeals Process**

- Provides an appeals mechanism via the Administrative Hearing Unit, ensuring fairness and compliance with County standards.

6. **Progressive Licensing**

- Allows properties with improved compliance records to transition back to regular annual licensing schedules, incentivizing better maintenance.

All The Best,

Jonathan P. Brown Sr
LA Perez Consulting, LLC
Associate
1101 Mercantile Lane Suite 296
Largo, Maryland 20774
Cell: (423)585-7555
Web: www.laperez.org