

SENATE BILL 635

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4lr0954
CF 4lr0953

By: **Senator West**

Introduced and read first time: January 29, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Landlords and Prospective Tenants – Residential Leases – Criminal History**
3 **Review**
4 **(Maryland Fair Chance in Housing Act)**

5 FOR the purpose of altering the number of years of criminal history that are reviewed in a
6 certain reusable tenant screening report; establishing certain prohibitions and
7 limitations on the review and consideration of a prospective tenant’s criminal
8 history; requiring a landlord that denies the lease application of a prospective tenant
9 to provide the individual with a certain document stating the reasons for the denial;
10 and generally relating to landlords and prospective tenants and criminal history.

11 BY repealing and reenacting, without amendments,
12 Article – Real Property
13 Section 8–218(a)
14 Annotated Code of Maryland
15 (2023 Replacement Volume)

16 BY repealing and reenacting, with amendments,
17 Article – Real Property
18 Section 8–218(b)(2)(i)
19 Annotated Code of Maryland
20 (2023 Replacement Volume)

21 BY adding to
22 Article – Real Property
23 Section 8–220
24 Annotated Code of Maryland
25 (2023 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Real Property

1
2 8–218.

3 (a) In this section, “reusable tenant screening report” means a report prepared
4 within the previous 30 days by a consumer reporting agency at the request and expense of
5 a prospective tenant and made directly available to a prospective landlord at no charge for
6 use in the rental application process.

7 (b) A reusable tenant screening report shall contain the following information
8 regarding a prospective tenant:

9 (2) For each jurisdiction indicated as a prior residence of the prospective
10 tenant, regardless of whether the residence is reported by the prospective tenant or by a
11 consumer reporting agency preparing a consumer report:

12 (i) A comprehensive criminal history records check for all federal,
13 state, and local charges against and convictions of the prospective tenant over the previous
14 [7] 3 years; and

15 8–220.

16 (A) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
17 **LANDLORD MAY NOT REQUIRE A PROSPECTIVE TENANT TO DISCLOSE ANY CRIMINAL**
18 **HISTORY IN AN APPLICATION FOR A LEASE.**

19 (2) **A LANDLORD MAY REQUIRE A PROSPECTIVE TENANT TO**
20 **DISCLOSE WHETHER THE INDIVIDUAL IS REQUIRED TO REGISTER AS A SEX**
21 **OFFENDER UNDER FEDERAL OR STATE LAW.**

22 (B) **A LANDLORD MAY NOT REVIEW OR REQUEST A THIRD PARTY TO REVIEW**
23 **MORE THAN THE PREVIOUS 3 YEARS OF ANY CRIMINAL HISTORY OF A PROSPECTIVE**
24 **TENANT.**

25 (C) **A LANDLORD MAY NOT PUBLISH OR CAUSE TO BE PUBLISHED ANY ORAL**
26 **OR WRITTEN STATEMENT THAT WOULD REASONABLY DISCOURAGE A PROSPECTIVE**
27 **TENANT WITH A CRIMINAL HISTORY FROM APPLYING FOR A LEASE.**

28 (D) **A LANDLORD THAT DENIES THE LEASE APPLICATION OF A PROSPECTIVE**
29 **TENANT SHALL PROVIDE THE INDIVIDUAL WITH A PHYSICAL DOCUMENT STATING**
30 **WITH PARTICULARITY EACH REASON FOR THE DENIAL.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2024.