

# SENATE BILL 649

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11r2108

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By: **Senators Ramirez, Ferguson, Montgomery, and Rosapepe**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Real Property – Dwellings ~~in Communities for~~ Leased to Individuals Age 55**  
3 **or Older – Air-Conditioning Systems**

4 FOR the purpose of requiring certain residential dwelling structures offered for lease  
5 to individuals of a certain age and constructed or improved in a certain manner  
6 on or after a certain date with money received from the State on or after a  
7 certain date to be equipped with an air-conditioning system meeting certain  
8 requirements; requiring air-conditioning systems required under this Act to be  
9 in compliance with certain codes; and generally relating to air-conditioning  
10 systems in residential dwelling structures ~~in certain communities~~ leased to  
11 individuals age 55 or older.

12 BY adding to

13 Article – Real Property

14 Section 14-133

15 Annotated Code of Maryland

16 (2010 Replacement Volume and 2010 Supplement)

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

19 **Article – Real Property**

20 **14-133.**

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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.



1           **(A) THIS SECTION APPLIES TO RESIDENTIAL DWELLING STRUCTURES**  
2 **OFFERED FOR LEASE THAT ARE:**

3                   **(1) OFFERED FOR RENT ONLY TO OCCUPANTS AGE 55 YEARS OR**  
4 **OLDER;**

5                   **(2) COMPOSED OF AT LEAST FIVE INDIVIDUAL DWELLING UNITS;**  
6 **AND**

7                   **(3) CONSTRUCTED OR IMPROVED WITH FUNDING, IN WHOLE OR**  
8 **IN PART, RECEIVED FROM THE STATE, IF:**

9                           **(I) THE CONTRACT FOR THE CONSTRUCTION OR**  
10 **IMPROVEMENT IS ENTERED INTO ON OR AFTER OCTOBER 1, 2011; ~~AND~~**

11                           **(II) THE MONEY FROM THE STATE IS RECEIVED ON OR**  
12 **AFTER OCTOBER 1, 2011; AND**

13                           **(III) THE CONSTRUCTION OR IMPROVEMENT INVOLVES THE**  
14 **ADDITION OR ALTERATION OF ANY HEATING, VENTILATION, OR**  
15 **AIR-CONDITIONING SYSTEM.**

16           **(B) (1) A RESIDENTIAL DWELLING STRUCTURE UNDERGOING**  
17 **CONSTRUCTION OR IMPROVEMENT AS DESCRIBED IN SUBSECTION (A) OF THIS**  
18 **SECTION SHALL BE EQUIPPED WITH A PROPERLY FUNCTIONING**  
19 **AIR-CONDITIONING SYSTEM CAPABLE OF MAINTAINING ~~75~~ 78 DEGREES**  
20 **FAHRENHEIT THROUGHOUT EACH INDIVIDUAL UNIT OF THE RESIDENTIAL**  
21 **DWELLING STRUCTURE.**

22                   **(2) THE AIR-CONDITIONING SYSTEM REQUIRED UNDER**  
23 **PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN COMPLIANCE WITH THE**  
24 **AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR-CONDITIONING**  
25 **ENGINEERS (ASHRAE) AND NATIONAL FIRE PROTECTION ASSOCIATION**  
26 **(NFPA) CODES AND ALL STATE AND LOCAL CODES.**

27           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2011.