

CITIZEN-DRAFTED BILL TA-501

Requested: January 23, 2025

Suggested assignment to: Environment and Transportation

AN ACT concerning

Common Ownership – Prohibition on Water Shut Off

FOR the purpose of promoting public health through continued function of drinking water and toilets notwithstanding a use restriction or delinquency, and prohibiting a cruel and unusual punishment by denial of potable water, a substance required for personal wellbeing, sanitation, medical aid, and other public health issues.

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 – Real Property

11-109

(e) A unit owner may not have any right, title, or interest in any property owned by the council of unit owners other than as holder of a percentage interest in common expenses and common profits appurtenant to his unit.

(f) A unit owner's rights as holder of a percentage interest in common expenses and common profits are such that:

(1) EXCEPT FOR WATER/TOILET SHUT OFF WHICH IS PROHIBITED, A unit owner's right to possess, use, or enjoy property of the council of unit owners shall be as provided in the bylaws IF THE DECLARATION IS SILENT; and

(2) A unit owner's interest in the property is not assignable or attachable separate from his unit except as provided in §§ 11-107(d) and 11-112(g) of this title.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.