

VETOES

TITLES AND MESSAGES

Senate Bill No. 44—Landlord and Tenant

AN ACT to add new Section ~~46~~ 47 to Article 53 of the Annotated Code of Maryland (~~1968 Replacement Volume and 1971 Supplement~~ 1972 REPLACEMENT VOLUME), title "Landlord and Tenant," subtitle "Tenants' Deposits," to follow immediately after Section ~~45~~ 46 thereof, to be under the new subtitle "Tenant Protections," to provide for certain protections for tenants in their negotiation of contracts with landlords, FOR AN EXCEPTION THERETO, and in the provisions of such contracts.

May 31, 1972

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed Senate Bill 44.

This bill provides for certain protection for tenants in their negotiation of leases with landlords.

The Attorney General has advised me that Senate Bill 44 and House Bill 992, which was enacted by the General Assembly and signed by me on May 31, 1972, are inconsistent. Senate Bill 44 provides that the question of the payment of interest on security deposits is a matter of negotiation between landlord and tenant, whereas House Bill 992 mandates in all cases (where the tenant's security deposit is \$50.00 or more) the payment of interest by the landlord to the tenant. House Bill 992 would take effect July 1, 1972, while Senate Bill 44 would take effect January 1, 1973. Since Senate Bill 44 has a later effective date, it is very likely that its provision relating to security deposits would prevail over House Bill 992 and make House Bill 992 a nullity. Although I am in accord with the underlying purpose of Senate Bill 44 to protect tenants in their negotiations of leases with landlords, I believe that such remedial legislation can be proposed at the next session of the General Assembly, which begins shortly after the date that Senate Bill 44 would have become effective.

Consequently, I am vetoing Senate Bill 44.

Sincerely,

/s/ MARVIN MANDEL,

Governor.