

recorded deeds would be affected by the retroactive application of Senate Bill 607, thereby eliminating CDA's legal ability to enforce the covenants.

Because Senate Bill 607 contains no exception for CDA's single family revenue bond program, it would retroactively imperil compliance for the existing residential loans and the bonds that finance them and, moreover, would require CDA to expressly prohibit family day care in future bond-financed residences.

For these reasons, reluctantly, I have today vetoed Senate Bill 607. Nevertheless, this Administration is willing to work with the sponsors of the bill to develop narrowly tailored language that exempts CDA bond-financed properties so that the bill can be reintroduced in the 1994 General Assembly Session.

Sincerely,  
William Donald Schaefer  
Governor

**Senate Bill No. 607**

AN ACT concerning

**Real Property - Restrictive Covenants - Family Day Care Homes**

FOR the purpose of prohibiting certain provisions in certain recorded covenants and restrictions from being construed to prohibit or restrict family day care homes; providing that the operation of a family day care home is to be considered a residential activity for a certain purpose; defining a certain term; providing a certain exception; providing for the application of this Act; and generally relating to the effect of recorded covenants and restrictions on family day care homes.

BY adding to

Article - Real Property

Section 2-121

Annotated Code of Maryland

(1988 Replacement Volume and 1992 Supplement)

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

**Article - Real Property**

2-121.

(A) IN THIS SECTION, "FAMILY DAY CARE HOME" MEANS A UNIT:

(I) REGISTERED UNDER TITLE 5, SUBTITLE 5 OF THE FAMILY LAW ARTICLE; AND

(II) IN WHICH THE FAMILY DAY CARE PROVIDER OR ONE OR MORE OF THE CHILDREN CARED FOR RESIDES.