

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 777 (Delegate Rudolph)
Environmental Matters

Municipal Corporations - Annexations - Approval by Counties

This bill prohibits a municipal corporation from annexing land located in an adjacent county unless the municipality has received prior written approval of the governing body of the county in which the land to be annexed is located.

The bill is effective July 1, 2003.

Fiscal Summary

State Effect: None.

Local Effect: Prohibiting a municipality from annexing land located in an adjacent county without the prior written approval of the governing body of the county in which the land to be annexed is located would not directly affect local jurisdiction finances.

Small Business Effect: None.

Analysis

Current Law: There is no provision of law that prohibits a municipality from annexing land located in an adjacent county without the prior written consent of the county in which the land to be annexed is located. Municipal corporations have the power to extend their boundaries by annexation if the land is contiguous with and adjoins the existing corporate area. Annexation may not result in an unincorporated enclave or include land that is within another municipal corporation.

Background: There are 156 incorporated municipalities in Maryland under Article 11E of the Maryland Constitution. These incorporated municipalities have home rule. There are five municipalities that are within two counties (Hampstead, Millington, Mount Airy, Queen Anne, and Templeville). Approximately eight municipalities in Maryland border another county including: Bowie, Federalsburg, Hillsboro, Laurel, Mount Airy, North Beach, Sykesville, and Takoma Park. Additionally, there are a number of municipalities that are adjacent to another county, but are separated by bodies of water. These municipalities include: Cambridge, Chestertown, Eagle Harbor, Havre de Grace, Perryville, Pocomoke City, Port Deposit, Sharptown, and Vienna. See the **Exhibit 1** for more details on municipalities that are adjacent to another county or counties.

Havre de Grace, situated on the Susquehanna River and located in Harford County, has considered annexing Garrett Island, which is an uninhabited island in the Susquehanna River and is part of Cecil County. Garrett Island is also adjacent to Perryville which is in Cecil County.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Town of Bel Air, Town of Leonardtown, Town of Riverdale Park, City of Salisbury, City of Westminster, Baltimore County, Charles County, Frederick County, Montgomery County, Prince George's County, Somerset County, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2003
ncs/hlb

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Exhibit 1
Municipalities Bordering a Neighboring County

<u>Municipality</u>	<u>County</u>	<u>County Bordering Municipality</u>
Bowie	Prince George's	Anne Arundel
Cambridge	Dorchester	Talbot
Chestertown	Kent	Queen Anne's
Eagle Harbor	Prince George's	Calvert
Federalburg	Caroline	Dorchester
Hampstead	Carroll/Baltimore	Carroll/Baltimore
Havre de Grace	Harford	Cecil
Hillsboro	Caroline	Talbot
Laurel	Prince George's	Anne Arundel/Howard
Millington	Kent/Queen Anne's	Kent/Queen Anne's
Mount Airy	Carroll/Frederick	Carroll/Frederick/Howard
North Beach	Calvert	Anne Arundel
Perryville	Cecil	Harford
Pocomoke City	Worcester	Somerset
Port Deposit	Cecil	Harford
Queen Anne	Queen Anne's/Talbot	Queen Anne's/Talbot
Sharptown	Wicomico	Dorchester
Sykesville	Carroll	Howard
Takoma Park	Montgomery	Prince George's
Templeville	Caroline/Queen Anne's	Caroline/Queen Anne's
Vienna	Dorchester	Wicomico