

HOUSE BILL 802

N1

71r1692

By: **Delegates Impallaria, Aumann, Boteler, Frank, Glassman, James, Jennings, Kach, McComas, McDonough, Riley, Stifler, and Weir**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County and Harford County – Limitation of Condemnation**
3 **Authority**

4 FOR the purpose of prohibiting private property from being acquired in Baltimore
5 County and Harford County by condemnation unless it is necessary for certain
6 public uses; defining a certain term; and generally relating to the condemnation
7 of private property in Baltimore County and Harford County.

8 BY adding to

9 Article – Real Property

10 Section 12–101.1

11 Annotated Code of Maryland

12 (2003 Replacement Volume and 2006 Supplement)

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

15 **Article – Real Property**

16 **12–101.1.**

17 **(A) (1) IN THIS SECTION, “PUBLIC USE” MEANS:**

18 **(i) PUBLIC OWNERSHIP OR CONTROL; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) PHYSICAL USE OR ACCESS BY THE GENERAL PUBLIC;**
2 **AND**

3 **(2) "PUBLIC USE" DOES NOT INCLUDE USE FOR ECONOMIC**
4 **DEVELOPMENT PURPOSES, INCLUDING:**

5 **(I) URBAN RENEWAL;**

6 **(II) COMMUNITY REVITALIZATION OR REDEVELOPMENT;**

7 **(III) COMMERCIAL OR INDUSTRIAL DEVELOPMENT;**

8 **(IV) JOB CREATION; OR**

9 **(V) GENERATION OF TAX REVENUE.**

10 **(B) THIS SECTION APPLIES ONLY IN BALTIMORE COUNTY AND**
11 **HARFORD COUNTY.**

12 **(C) PRIVATE PROPERTY MAY NOT BE ACQUIRED BY CONDEMNATION**
13 **UNLESS IT IS NECESSARY FOR PUBLIC USE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2007.