

SENATE BILL 398

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3lr1363
CF 3lr2551

By: **Senator Zirkin**

Introduced and read first time: January 28, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Jurisdiction over Eminent Domain Cases**
3 **– Circuit Court**

4 FOR the purpose of establishing that a circuit court has exclusive, original jurisdiction
5 over all proceedings for the acquisition of private property for public use by
6 condemnation; providing that certain provisions of this Act establishing
7 jurisdiction apply to property acquired for public use by a private company by
8 the exercise of certain authority granted under federal law; and generally
9 relating to jurisdiction over eminent domain cases.

10 BY adding to

11 Article – Real Property

12 Section 12–101.1

13 Annotated Code of Maryland

14 (2010 Replacement Volume and 2012 Supplement)

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

17 **Article – Real Property**

18 **12–101.1.**

19 **(A) A CIRCUIT COURT HAS EXCLUSIVE, ORIGINAL JURISDICTION OVER**
20 **ALL PROCEEDINGS FOR THE ACQUISITION OF PRIVATE PROPERTY FOR PUBLIC**
21 **USE BY CONDEMNATION.**

22 **(B) THIS SECTION APPLIES TO PROPERTY ACQUIRED FOR PUBLIC USE**
23 **BY A PRIVATE COMPANY BY THE EXERCISE OF AUTHORITY GRANTED TO THE**
24 **PRIVATE COMPANY UNDER FEDERAL LAW.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2013.