

HB0378/370215/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 378

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 5 down through “Foundation” in line 8 and substitute “for the reimbursement of certain money paid by a landowner to the Fund for a certain release of a certain lot in accordance with certain requirements; authorizing the Maryland Agricultural Land Preservation Foundation, subject to certain approval and in accordance with certain regulations, to reimburse certain money paid into the Fund under certain circumstances”; and after line 14, insert:

“BY adding to

Article – Agriculture

Section 2-505(c)(5)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “,” in line 12 down through “HOUSE” in line 17 and substitute “THE REIMBURSEMENT OF MONEY PAID BY A LANDOWNER FOR A PRELIMINARY RELEASE OF A LOT UNDER § 2-513(B)(2) OF THIS SUBTITLE IN ACCORDANCE WITH PARAGRAPH (5) OF THIS SUBSECTION”; and after line 17, insert:

“(5) (I) SUBJECT TO THE PRIOR APPROVAL OF THE BOARD OF TRUSTEES OF THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY REIMBURSE MONEY PAID INTO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND BY A LANDOWNER FOR A LOT

(Over)

THAT HAD BEEN PRELIMINARILY RELEASED UNDER § 2-513(B)(2) OF THIS SUBTITLE FOR THE PURPOSE OF CONSTRUCTING A DWELLING HOUSE FOR A LANDOWNER OR THE CHILD OF THE LANDOWNER.

(II) IN THE SOLE DISCRETION OF THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, THE PERSON FOR WHOM THE LOT WAS PRELIMINARILY RELEASED, THE PERSON WHO ORIGINALLY PAID FOR THE PRELIMINARY RELEASE, OR ANOTHER APPROPRIATE PERSON MAY BE REIMBURSED THE AMOUNT PAID TO THE FUND UNDER § 2-513(B)(2)(III) OF THIS SUBTITLE IF:

1. A DWELLING HAS NOT BEEN CONSTRUCTED ON THE LOT;

2. A REQUEST FOR REIMBURSEMENT IS MADE BEFORE THE PRELIMINARY RELEASE BECOMES VOID UNDER § 2-513(B)(2) OF THIS SUBTITLE;

3. BEFORE REIMBURSEMENT AND AT THE EXPENSE OF THE OWNER OF THE LAND UNDER THE EASEMENT:

A. THE LOT IS CONVEYED TO THE OWNER FREE AND CLEAR OF LIENS;

B. ANY RECORDED PLAT CREATING THE LOT IS VOIDED;

C. THE LOT IS ADDED TO THE TAX ACCOUNT ASSIGNED TO THE LAND ENCUMBERED BY THE EASEMENT; AND

D. THE PRELIMINARY RELEASE IS VOIDED BY AN AGREEMENT RECORDED IN THE LAND RECORDS; AND

4. AT LEAST ONE OF THE FOLLOWING CIRCUMSTANCES EXISTS:

A. THE FOUNDATION HAS RECEIVED NOTICE THAT TITLE TO THE LOT HAS BEEN TRANSFERRED UNDER A BONA FIDE FORECLOSURE OF A MORTGAGE OR DEED OF TRUST OR A DEED IN LIEU OF FORECLOSURE;

B. THE FOUNDATION HAS RECEIVED NOTICE THAT THE LANDOWNER OR CHILD OF THE LANDOWNER FOR WHOM THE LOT WAS PRELIMINARILY RELEASED HAS DIED; OR

C. ANY OTHER CIRCUMSTANCE IN WHICH THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION DETERMINES THAT IT WOULD BE IMPOSSIBLE FOR THE LANDOWNER OR CHILD OF THE LANDOWNER FOR WHOM THE LOT WAS PRELIMINARILY RELEASED TO FULFILL THE REQUIREMENTS OF THE PRELIMINARY RELEASE.”.

AMENDMENT NO. 3

On page 4, in line 26, strike “October 1, 2013” and substitute “July 1, 2013”.