

HOUSE BILL 232

L2

8lr0746

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Asset Transfer for Maglev – Hearing and Approval**
3 **Requirements**

4 **PG 402–18**

5 FOR the purpose of requiring the County Council of Prince George's County to hold a public
6 hearing before the transfer of an asset of the county as part of the development of a
7 magnetic levitation transportation system (Maglev) under certain circumstances;
8 requiring certain notice of the public hearing to be delivered in a certain manner to
9 certain persons; authorizing the County Council to require a proposed transferee to
10 conduct the mailing of a certain notice under certain circumstances; requiring
11 certain approval by certain county and municipal entities of a transfer of an asset of
12 the county under certain circumstances; defining certain terms; and generally
13 relating to the transfer of assets for the development of a Maglev in Prince George's
14 County.

15 BY adding to
16 Article – Local Government
17 Section 12–413
18 Annotated Code of Maryland
19 (2013 Volume and 2017 Supplement)

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

22 **Article – Local Government**

23 **12–413.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INDICATED.

2 (2) "ASSET" INCLUDES:

3 (I) REAL OR PERSONAL PROPERTY; AND

4 (II) ACCESS TO OR USE OF REAL OR PERSONAL PROPERTY.

5 (3) "MAGLEV" MEANS A MAGNETIC LEVITATION TRANSPORTATION
6 SYSTEM.

7 (4) "TRANSFER" INCLUDES A SALE, A LEASE, A CONVEYANCE, A GIFT,
8 A PLEDGE, AN ENCUMBRANCE, OR A TRADE.

9 (B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

10 (C) BEFORE THE COUNTY TRANSFERS AN ASSET OF THE COUNTY AS PART
11 OF THE DEVELOPMENT OF A MAGLEV THAT PASSES THROUGH THE COUNTY, THE
12 COUNTY COUNCIL SHALL HOLD A PUBLIC HEARING.

13 (D) (1) NOTICE OF THE PUBLIC HEARING REQUIRED UNDER SUBSECTION
14 (C) OF THIS SECTION SHALL BE DELIVERED BY FIRST-CLASS MAIL TO ALL
15 HOMEOWNERS AND BUSINESSES LOCATED WITHIN 500 FEET OF THE ASSET AT LEAST
16 15 DAYS BEFORE THE DATE OF THE PUBLIC HEARING.

17 (2) (I) THE COUNTY COUNCIL MAY REQUIRE A PROPOSED
18 TRANSFEREE TO CONDUCT THE MAILING OF THE NOTICE REQUIRED UNDER THIS
19 SUBSECTION.

20 (II) IF THE COUNTY COUNCIL REQUIRES A PROPOSED
21 TRANSFEREE TO CONDUCT THE MAILING OF THE NOTICE UNDER THIS SUBSECTION,
22 THE COUNTY COUNCIL MUST REVIEW THE NOTICE AND CONFIRM THAT ALL NOTICE
23 REQUIREMENTS ARE SATISFIED.

24 (E) APPROVAL OF A TRANSFER OF AN ASSET OF THE COUNTY AS PART OF
25 THE DEVELOPMENT OF A MAGLEV THAT PASSES THROUGH THE COUNTY SHALL BE
26 MADE ONLY BY:

27 (1) A SUPERMAJORITY VOTE OF THE COUNTY COUNCIL; AND

28 (2) IF APPLICABLE, THE GOVERNING BODY OF ANY MUNICIPALITY IN
29 WHICH ANY PART OF THE ASSET IS LOCATED.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.