

SENATE BILL 571

M4

8lr2611

By: **Senator Bates**

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Agricultural Land Preservation Foundation – Use of Land – Signs and**
3 **Outdoor Advertising Displays**

4 FOR the purpose of authorizing a landowner, without the approval of the Maryland
5 Agricultural Land Preservation Foundation, to erect and display on land subject to
6 a certain easement a certain sign or outdoor advertising display for a certain
7 purpose; authorizing the Foundation to authorize a landowner to erect and display
8 on land subject to a certain easement a certain sign or outdoor advertising display
9 for the purpose of providing certain information; providing that this Act supersedes
10 certain provisions of a certain deed or agreement; providing that this Act does not
11 supersede certain local laws or ordinances; providing for the application of this Act;
12 and generally relating to the use of land subject to an agricultural preservation
13 easement.

14 BY repealing and reenacting, without amendments,
15 Article – Agriculture
16 Section 2–513(b)(1)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2017 Supplement)

19 BY adding to
20 Article – Agriculture
21 Section 2–513(b)(11)
22 Annotated Code of Maryland
23 (2016 Replacement Volume and 2017 Supplement)

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

26 **Article – Agriculture**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2-513.

2 (b) (1) A landowner whose land is subject to an easement may not use the land
3 for any commercial, industrial, or residential purpose except:

4 (i) As determined by the Foundation, for farm- and forest-related
5 uses and home occupations; or

6 (ii) As otherwise provided under this section.

7 **(11) (I) A LANDOWNER MAY, WITHOUT THE APPROVAL OF THE**
8 **FOUNDATION, ERECT AND DISPLAY ON LAND SUBJECT TO AN EASEMENT UNDER**
9 **THIS SUBTITLE A SIGN OR ANY OTHER OUTDOOR ADVERTISING DISPLAY MEASURING**
10 **NOT MORE THAN 4 FEET BY 4 FEET FOR THE PURPOSE OF:**

11 **1. STATING THE NAME OR ADDRESS OF THE PROPERTY**
12 **OR ITS OCCUPANT;**

13 **2. ADVERTISING ANY FARM- OR FOREST-RELATED USES**
14 **OF THE PROPERTY OR ANY HOME OCCUPATIONS THAT OCCUR ON THE PROPERTY**
15 **WITH THE APPROVAL OF THE FOUNDATION;**

16 **3. ADVERTISING THE SALE OF AGRICULTURAL**
17 **PRODUCTS, CONSISTENT WITH THE POLICIES OF THE FOUNDATION;**

18 **4. ADVERTISING THAT THE PROPERTY IS AVAILABLE**
19 **FOR SALE OR RENT;**

20 **5. FORBIDDING TRESPASSING, HUNTING, OR THE**
21 **DESTRUCTION OF PROPERTY;**

22 **6. MARKING THE BOUNDARIES OF THE PROPERTY;**

23 **7. IDENTIFYING THE PROTECTED STATUS OF THE**
24 **PROPERTY; OR**

25 **8. SUPPORTING A POLITICAL CANDIDATE.**

26 **(II) THE FOUNDATION MAY AUTHORIZE A LANDOWNER TO**
27 **ERECT AND DISPLAY ON LAND SUBJECT TO AN EASEMENT UNDER THIS SUBTITLE A**
28 **SIGN OR ANY OTHER OUTDOOR ADVERTISING DISPLAY MEASURING NOT MORE THAN**
29 **4 FEET BY 4 FEET FOR THE PURPOSE OF PROVIDING ANY OTHER INFORMATION**
30 **CONSISTENT WITH THE PURPOSES OF THE FOUNDATION.**

1 **(III) THIS PARAGRAPH:**

2 **1. SUPERSEDES ANY INCONSISTENT PROVISIONS OF A**
3 **DEED OR ANY OTHER AGREEMENT GRANTING AN EASEMENT UNDER THIS SUBTITLE;**
4 **AND**

5 **2. DOES NOT SUPERSEDE ANY LOCAL LAW OR**
6 **ORDINANCE GOVERNING SIGNS OR OUTDOOR ADVERTISING DISPLAYS.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
8 apply retroactively and shall be applied to and interpreted to affect agricultural
9 preservation easements granted to the Maryland Agricultural Land Preservation
10 Foundation before the effective date of this Act.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2018.