

SENATE BILL 1004

L1

8lr3730
CF HB 637

By: **Senators Pinsky and Peters**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Counties – Asset Transfer for High-Speed Transportation System – Hearing and**
3 **Approval Requirements**

4 FOR the purpose of requiring the governing body of a county to hold a public hearing before
5 the transfer of an asset of the county as part of the development of a high-speed
6 transportation system under certain circumstances; requiring certain notice of the
7 public hearing to be delivered in a certain manner to certain persons; authorizing
8 the governing body of the county to require a proposed transferee to conduct the
9 mailing of a certain notice under certain circumstances; requiring certain approval
10 by certain county and municipal entities of a transfer of an asset of the county under
11 certain circumstances; defining certain terms; and generally relating to the transfer
12 of county assets for the development of a high-speed transportation system.

13 BY adding to

14 Article – Local Government
15 Section 12-413
16 Annotated Code of Maryland
17 (2013 Volume and 2017 Supplement)

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

20 **Article – Local Government**

21 **12-413.**

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (2) “ASSET” INCLUDES:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) REAL OR PERSONAL PROPERTY; AND

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

3 (3) "HIGH-SPEED TRANSPORTATION SYSTEM" INCLUDES:

4 (I) A MAGNETIC LEVITATION TRANSPORTATION SYSTEM; AND

5 (II) A HIGH-SPEED TUNNEL SYSTEM.

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

8 (B) BEFORE A COUNTY TRANSFERS AN ASSET OF THE COUNTY AS PART OF
9 THE DEVELOPMENT OF A HIGH-SPEED TRANSPORTATION SYSTEM THAT PASSES
10 THROUGH THE COUNTY, THE GOVERNING BODY OF THE COUNTY SHALL HOLD A
11 PUBLIC HEARING.

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

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

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

23 (D) APPROVAL OF A TRANSFER OF AN ASSET OF THE COUNTY AS PART OF
24 THE DEVELOPMENT OF A HIGH-SPEED TRANSPORTATION SYSTEM THAT PASSES
25 THROUGH THE COUNTY SHALL BE MADE ONLY BY:

26 (1) A SUPERMAJORITY VOTE OF THE GOVERNING BODY OF THE
27 COUNTY; 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.