

SENATE BILL 1005

L1, L3

8lr3732
CF HB 638

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 and Municipalities – Asset Transfer for High-Speed Transportation**
3 **System – Agreements**

4 FOR the purpose of requiring a county, before the transfer of an asset of the county as part
5 of the development of a certain high-speed transportation system, to negotiate a
6 certain written agreement with a certain municipality under certain circumstances;
7 defining certain terms; and generally relating to the transfer of assets for the
8 development of a high-speed transportation system.

9 BY adding to

10 Article – Local Government
11 Section 12-413
12 Annotated Code of Maryland
13 (2013 Volume and 2017 Supplement)

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

16 **Article – Local Government**

17 **12-413.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (2) “ASSET” INCLUDES:

21 (I) REAL OR PERSONAL PROPERTY; AND

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(3) “HIGH-SPEED TRANSPORTATION SYSTEM” INCLUDES:**
- 2 **(I) A MAGNETIC LEVITATION TRANSPORTATION SYSTEM; AND**
- 3 **(II) A HIGH-SPEED TUNNEL SYSTEM.**
- 4 **(4) “TRANSFER” INCLUDES A SALE, A LEASE, A CONVEYANCE, A GIFT,**
5 **A PLEDGE, AN ENCUMBRANCE, AND A TRADE.**
- 6 **(B) BEFORE A COUNTY TRANSFERS AN ASSET OF THE COUNTY THAT IS**
7 **LOCATED IN A MUNICIPALITY AS PART OF THE DEVELOPMENT OF A HIGH-SPEED**
8 **TRANSPORTATION SYSTEM THAT PASSES THROUGH THE COUNTY, THE COUNTY**
9 **SHALL NEGOTIATE A WRITTEN AGREEMENT WITH THE MUNICIPALITY CONCERNING:**
- 10 **(1) THE APPROVAL BY THE MUNICIPALITY OF THE TRANSFER; AND**
- 11 **(2) THE SHARING WITH THE MUNICIPALITY OF ANY FINANCIAL**
12 **REMUNERATION THE COUNTY RECEIVES UNDER THE TRANSFER.**
- 13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2018.