

HOUSE BILL 160

M3, N1

11r0916

(PRE-FILED)

By: **Delegate Bagnall**

Requested: October 9, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Wetlands and Waterways – Riparian Rights**

3 FOR the purpose of specifying that the riparian rights of a community association or other
4 entity may not be terminated or impaired as a result of erosion, sea level rise, or the
5 issuance of certain approvals; requiring the Department of the Environment to
6 establish and maintain a certain repository on the Department's website for certain
7 purposes; providing for the application of this Act; and generally relating to riparian
8 rights.

9 BY adding to

10 Article – Environment

11 Section 16–201.1

12 Annotated Code of Maryland

13 (2014 Replacement Volume and 2020 Supplement)

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

16 **Article – Environment**

17 **16–201.1.**

18 **(A) THIS SECTION APPLIES TO A COMMUNITY ASSOCIATION THAT**
19 **POSSESSES RIPARIAN RIGHTS, INCLUDING THROUGH AN EXPRESS RESERVATION OF**
20 **RIPARIAN RIGHTS TO CONTROL ACCESS TO THE WATER IN A DEED OR OTHER**
21 **RECORDED INSTRUMENT.**

22 **(B) THE RIPARIAN RIGHTS OF A COMMUNITY ASSOCIATION OR ENTITY MAY**
23 **NOT BE TERMINATED OR IMPAIRED AS A RESULT OF:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) EROSION OR SEA LEVEL RISE; OR**

2 **(2) THE ISSUANCE OF AN APPROVAL BY A COUNTY, THE**
3 **DEPARTMENT, OR THE BOARD TO A WATERFRONT PROPERTY OWNER, INCLUDING**
4 **THE ISSUANCE OF A WETLANDS AND WATERWAYS OR A BUILDING PERMIT, LICENSE,**
5 **OR OTHER APPROVAL.**

6 **(C) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A PUBLICLY**
7 **ACCESSIBLE REPOSITORY ON THE DEPARTMENT'S WEBSITE TO KEEP RECORD OF**
8 **COMMUNITY ASSOCIATIONS AND OTHER ENTITIES THAT POSSESS RIPARIAN RIGHTS.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2021.