SENATE BILL 694

P2, N1, M1 3lr2167 SB 974/22 - B&TBy: Senator Jennings Introduced and read first time: February 6, 2023 Assigned to: Budget and Taxation Committee Report: Favorable Senate action: Adopted Read second time: March 9, 2023 CHAPTER AN ACT concerning Department of Natural Resources' Real Property – Exchange With Private Real **Property** FOR the purpose of authorizing the State to exchange real property owned by the State for the use and benefit of the Department of Natural Resources with private real property under certain circumstances; and generally relating to the exchange of real property owned by the State for the use and benefit of the Department of Natural Resources. BY repealing and reenacting, with amendments, Article – Natural Resources Section 1-109(e)Annotated Code of Maryland (2018 Replacement Volume and 2022 Supplement) BY repealing and reenacting, with amendments, Article - State Finance and Procurement Section 5-310(c)(1) and 10-305(b)(1)Annotated Code of Maryland (2021 Replacement Volume and 2022 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Natural Resources

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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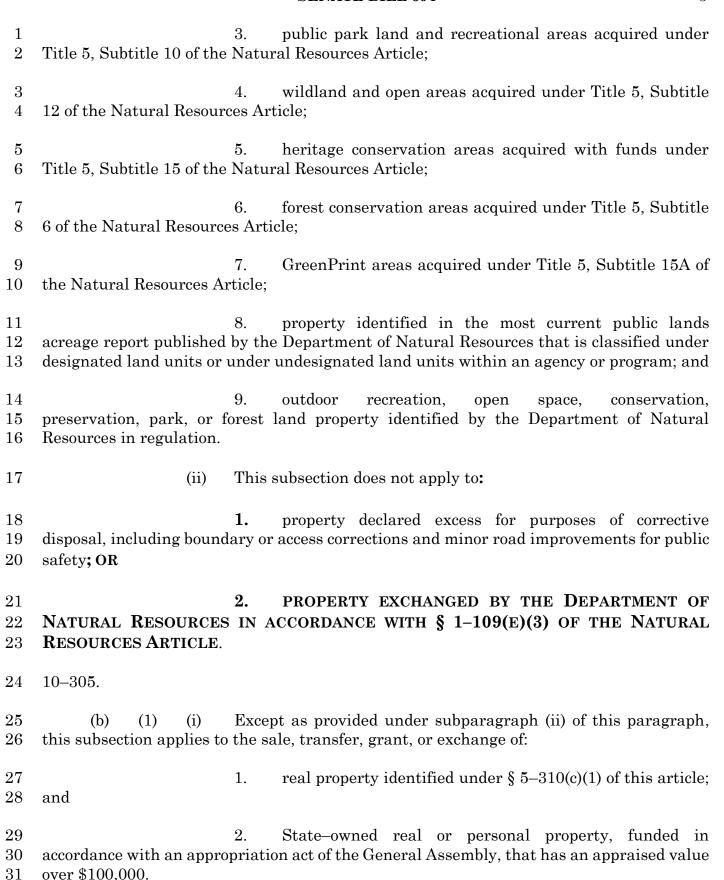
Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 1–109.
- 2 (e) (1) Subject to [paragraph] PARAGRAPHS (2) AND (3) of this subsection, 3 the Department may dispose of land owned and managed by the Department as 4 consideration for the acquisition of land not owned by the Department.
- 5 (2) [In] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IN implementing this subsection, the Department shall comply with the procedures established under Title 5, Subtitle 3 and Title 10, Subtitle 3 of the State Finance and Procurement Article.
- 9 (3) (I) THE DEPARTMENT MAY DISPOSE OF REAL PROPERTY 10 OWNED BY THE STATE FOR THE USE AND BENEFIT OF THE DEPARTMENT IN EXCHANGE FOR PRIVATELY OWNED REAL PROPERTY WITHOUT COMPLYING WITH 12 THE PROCEDURES ESTABLISHED UNDER §§ 5–301 THROUGH 5–311 OR §§ 10–301 THROUGH 10–309 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IF:
- 14 THE REAL PROPERTY OWNED BY THE STATE DOES NOT EXCEED 5 ACRES IN SIZE; AND
- 2. THE OWNER OF THE PRIVATELY OWNED REAL PROPERTY REQUESTING THE EXCHANGE PAYS ALL COSTS ASSOCIATED WITH THE EXCHANGE OF THE REAL PROPERTY, INCLUDING LEGAL FEES AND BOUNDARY RELOCATION, SURVEYING, ENGINEERING, AND RECORDATION COSTS.
- 20 (II) PRIOR TO A PROPERTY EXCHANGE UNDER THIS 21 PARAGRAPH, THE DEPARTMENT SHALL REFER THE PROPOSED EXCHANGE TO THE 22 BOARD OF PUBLIC WORKS FOR FINAL DISPOSITION.

23 Article – State Finance and Procurement

- 24 5–310.
- 25 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph, this subsection applies to the following categories of real property owned by the State in fee simple:
- 28 1. property acquired with Program Open Space funds under 29 Title 5, Subtitle 9 of the Natural Resources Article;
- 30 2. property acquired with Rural Legacy Program funds 31 under Title 5, Subtitle 9A of the Natural Resources Article;



pproved:	
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.