

# HOUSE BILL 429

P1, N1

4lr2580  
CF SB 43

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By: **Delegate Attar**

Introduced and read first time: January 18, 2024

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Historical Trust – Arbitration**

3 FOR the purpose of authorizing arbitration for disputes regarding certain applications for  
4 a certain permit, grant, tax credit, or authorization for a change or alteration of  
5 property subject to a certain historic easement; and generally relating to the  
6 Maryland Historical Trust.

7 BY repealing and reenacting, without amendments,  
8 Article – State Finance and Procurement  
9 Section 5A–309 and 5A–310  
10 Annotated Code of Maryland  
11 (2021 Replacement Volume and 2023 Supplement)

12 BY adding to  
13 Article – State Finance and Procurement  
14 Section 5A–321  
15 Annotated Code of Maryland  
16 (2021 Replacement Volume and 2023 Supplement)

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

19 **Article – State Finance and Procurement**

20 5A–309.

21 (a) In this part the following words have the meanings indicated.

22 (b) “Board” means the Board of Trustees of the Maryland Historical Trust.

23 (c) “Trustee” means a member of the Board.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5A-310.

2 (a) There is a Maryland Historical Trust.

3 (b) (1) The Trust is an instrumentality of the State, is a body corporate, and  
4 has perpetual existence.

5 (2) The General Assembly may terminate the Trust if the purposes of the  
6 Trust end.

7 5A-321.

8 (A) IN THIS SECTION, "APPLICATION" MEANS AN APPLICATION:

9 (1) FOR A PERMIT, GRANT, OR TAX CREDIT UNDER THIS SUBTITLE;  
10 AND

11 (2) MADE IN ACCORDANCE WITH § 5A-326 OF THIS SUBTITLE FOR A  
12 CHANGE OR ALTERATION OF A PROPERTY SUBJECT TO A HISTORIC EASEMENT.

13 (B) IF THERE IS AN UNRESOLVED DISPUTE OVER AN APPLICATION THAT IS  
14 MADE UNDER THIS SUBTITLE, AND FOR WHICH APPROVAL FROM THE TRUST IS  
15 REQUIRED, EITHER PARTY MAY REQUEST ARBITRATION.

16 (C) (1) IF A PARTY REQUESTS ARBITRATION, THE PARTIES SHALL  
17 MUTUALLY SELECT AN ARBITRATOR.

18 (2) IF THE PARTIES ARE UNABLE TO AGREE ON AN ARBITRATOR, AN  
19 ARBITRATOR SHALL BE SELECTED THROUGH THE AMERICAN ARBITRATION  
20 ASSOCIATION IN ACCORDANCE WITH ITS PROCEDURES.

21 (3) THE ARBITRATOR SHALL ASSESS ALL FEES THAT RESULT FROM  
22 THE ARBITRATION EQUALLY BETWEEN THE PARTIES.

23 (D) (1) A DECISION OF THE ARBITRATOR IS FINAL AND BINDING ON ALL  
24 PARTIES.

25 (2) EITHER PARTY MAY APPEAL A DECISION UNDER THIS SECTION TO  
26 THE MARYLAND STATE BOARD OF CONTRACT APPEALS.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
28 1, 2024.