

BY: Commerce and Government Matters Committee

AMENDMENTS TO SENATE BILL NO. 509

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike "sections of the Baltimore County Code;" and substitute "public local laws; providing that the authority of the County to exercise the power of eminent domain under this Act shall terminate on a certain date under certain circumstances; prohibiting the County from taking possession of certain property under certain circumstances; prohibiting the County from selling certain property to a certain person unless a certain investment equals or exceeds a certain price; defining a certain term;"; and in line 11, after "persons" insert "under certain circumstances".

AMENDMENT NO. 2

On page 6, strike line 36 in its entirety and substitute "LANE AND MAP 90, BLOCK 23, PARCEL 1359, AND MAP 90, BLOCK"; and in line 37, strike ", AND MAP 90-PARCEL 391".

AMENDMENT NO. 3

On page 7, after line 36, insert:

"(C) THE AUTHORITY OF THE COUNTY TO EXERCISE THE POWER OF EMINENT DOMAIN AS PROVIDED FOR IN THIS ARTICLE SHALL TERMINATE ON JULY 1, 2007, EXCEPT FOR THOSE PROPERTIES WHERE:

(1) THE COUNTY COUNCIL HAS APPROVED, BEFORE JULY 1, 2007, THE PURCHASE OF THE PROPERTY BY AN AGREED SALE; OR

(2) THE COUNTY HAS FILED A PETITION FOR CONDEMNATION, BEFORE JULY 1, 2007, IN THE CIRCUIT COURT FOR BALTIMORE COUNTY.

(D) THE COUNTY MAY NOT TAKE POSSESSION OF ANY PROPERTY LISTED IN SUBSECTION (B) OF THIS SECTION AS PROVIDED FOR IN ARTICLE III, § 40A OF THE

(Over)

MARYLAND CONSTITUTION PRIOR TO AN AGREED SALE OR ENTRY OF A JUDGMENT OF INQUISITION IN A CONDEMNATION ACTION.

AMENDMENT NO. 4

On page 8, in line 1, strike “(C)” and substitute “(E)”; in line 2, strike the colon; in line 3, strike “(1)”; strike beginning with “; AND” in line 3 down through “REGULATIONS” in line 5; after line 5, insert:

“(F) (1) IN THIS SUBSECTION, “CAPITAL INVESTMENT” MEANS ACQUISITION PRICE AND THE COST OF IMPROVEMENTS.

(2) ALL LAND OR PROPERTY ACQUIRED BY EMINENT DOMAIN UNDER THIS SECTION MAY NOT BE SOLD, CONVEYED, OR TRANSFERRED TO A PRIVATE, PUBLIC, OR QUASI-PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION, PERSON, OR OTHER LEGAL ENTITY UNLESS THE PROPOSED CAPITAL INVESTMENT ON THE PROPERTIES OF THE PRIVATE, PUBLIC, OR QUASI-PUBLIC CORPORATION, PARTNERSHIP, ASSOCIATION, PERSON, OR OTHER LEGAL ENTITY EQUALS OR EXCEEDS THE PURCHASE PRICE PAID BY THE COUNTY FOR THE PROPERTY.”;

and in lines 6 and 10, strike “(D)” and “(E)”, respectively, and substitute “(G)” and “(H)”, respectively.

AMENDMENT NO. 5

On page 8, in line 6, before “THE” insert “(1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION,”; and after line 9, insert:

“(2) IF AN OWNER-OCCUPANT OR TENANT IS DISPLACED BECAUSE OF THE COUNTY’S EXERCISE OF EMINENT DOMAIN UNDER THIS SECTION, REGARDLESS OF WHETHER THE DISPLACEMENT INVOLVES THE USE OF FEDERAL FINANCIAL ASSISTANCE, THE COUNTY SHALL OFFER ASSISTANCE AND PAYMENTS TO THE OWNER-OCCUPANT OR TENANT THAT ARE AT LEAST EQUAL TO THE ASSISTANCE AND PAYMENTS THAT THE OWNER-OCCUPANT OR TENANT WOULD QUALIFY FOR AS A DISPLACED PERSON UNDER THE FEDERAL UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF

1970.".

AMENDMENT NO. 6

On page 8, in line 30, strike "sought to be acquired" and substitute "are being sought for acquisition".