

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE  
Revised

House Bill 301 (Delegates Glassman and James)

Appropriations

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**Maryland Agricultural Land Preservation Foundation - Development Rights**

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This bill requires a county governing body, upon local approval of an application to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF), to submit to MALPF a statement of the total current development rights on the land involved. The bill requires that the statement include the total number of development rights that have been subdivided or transferred.

The bill takes effect July 1, 2000.

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**Fiscal Summary**

**State Effect:** The bill would not materially affect State operations or finances.

**Local Effect:** Potential minimal increase in expenditures beginning in FY 2001 for some jurisdictions to research development rights. Most counties could handle the bill's requirements with existing resources.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Within 30 days after the receipt of an application to sell an easement, MALPF is required to notify the governing board of a county containing the land that an application to sell has been received. Within 60 days of the notification, the county governing body is required to advise MALPF as to local approval or disapproval of the application. The county governing body is not required to submit a statement regarding development rights.

**Background:** Agricultural preservation districts are formed when qualifying landowners sign voluntary agreements to keep their land in agricultural or woodland use for a minimum of five years. Landowners who agree to place their farms within an agricultural preservation district may sell a development rights easement on that property to MALPF. Subject to some limitations, once an easement has been sold, the property is protected from further development in perpetuity.

**Local Fiscal Effect:** Most county governing bodies could meet the requirements of the bill with existing resources. However, in some counties, the bill's requirements could impose minimal costs beginning in fiscal 2001. For example, Garrett County advises that to submit development rights information to MALPF, costs could increase by approximately \$2,000 annually for attorney fees to perform title research.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture; Anne Arundel, Dorchester, Garrett, and Montgomery counties; Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 2000  
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