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By: Delegates James and Glassman

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Assigned to: Appropriations

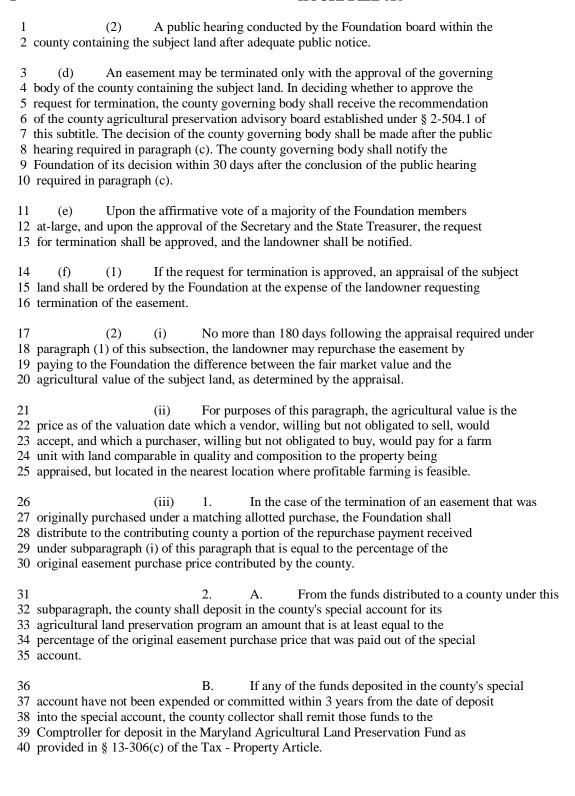
A BILL ENTITLED

1 AN ACT concerning

2 Maryland Agricultural Land Preservation - Termination of Easement

- 3 FOR the purpose of prohibiting a landowner from terminating certain easements
- 4 except under certain circumstances; and generally relating to the termination of
- 5 agricultural land preservation easements.
- 6 BY repealing and reenacting, with amendments,
- 7 Article Agriculture
- 8 Section 2-514
- 9 Annotated Code of Maryland
- 10 (1999 Replacement Volume and 2000 Supplement)
- 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 12 MARYLAND, That the Laws of Maryland read as follows:
- 13 Article Agriculture
- 14 2-514.
- 15 (a) It is the intent of the General Assembly that the easement purchased
- 16 under this subtitle be held by the Foundation for as long as profitable farming is
- 17 feasible on the land under easement, and an easement may be terminated only in the
- 18 manner and at the time specified in this section.
- 19 (b) [At] EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, AT any
- 20 time after 25 years from the date of purchase of an easement, the landowner may
- 21 request that the easement be reviewed for possible termination of the easement.
- 22 (c) Upon a request for review of an easement for termination, an inquiry shall
- 23 be conducted by the Foundation to determine the feasibility of profitable farming on
- 24 the subject land. The inquiry shall be concluded and a decision reached by the
- 25 Foundation within 180 days after the request for termination, and shall include:
- 26 (1) On-site inspection of the subject land;

HOUSE BILL 616



HOUSE BILL 616

- The county shall deposit the balance of the funds
- 2 distributed to it under this subparagraph in the county's general fund.
- 3 (g) If the request for termination is denied, or if the landowner fails to
- 4 repurchase the easement within 180 days of the appraisal, the landowner may not
- 5 again request termination of the easement until five years after his last request for
- 6 termination.
- 7 (H) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LANDOWNER MAY
- 8 NOT TERMINATE AN AGRICULTURAL LAND PRESERVATION EASEMENT PURCHASED
- 9 AFTER JULY 1, 2002.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 11 July 1, 2001.