
By: **Delegates Hecht, Snodgrass, Billings, Bobo, Bozman, Brinkley, Clagett,
Crouse, Donoghue, Hubbard, and Rosso**

Introduced and read first time: February 8, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utility Companies - Electric Generating Stations - Zoning**

3 FOR the purpose of repealing certain preemption of local zoning laws concerning the
4 construction and operation of an electric generating station on certain land
5 certified as a suitable site by the Secretary of Natural Resources; providing that
6 nothing in the Public Utility Companies Article preempts local zoning laws
7 concerning the construction and operation of electric generating stations; and
8 generally relating to zoning for electric generating stations.

9 BY repealing

10 Article - Natural Resources
11 Section 3-306.1
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2001 Supplement)

14 BY adding to

15 Article - Public Utility Companies
16 Section 7-208.1
17 Annotated Code of Maryland
18 (1998 Volume and 2001 Supplement)

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

21 **Article - Natural Resources**

22 [3-306.1.

23 In view of the safeguards provided by this subtitle through State units, and to
24 assure the controlling effect of their determinations, any property certified as a
25 suitable site by the Secretary of Natural Resources and placed in inventory as
26 provided in this subtitle or any sites acquired and placed in inventory as provided in
27 this subtitle shall be used and operated for electric generating and associated on-site

1 transmission purposes without regard to any local zoning rule, regulation, law, or
2 ordinance, and this use is not required to be submitted to or approved by any county
3 or municipal zoning board, authority, or unit.]

4

Article - Public Utility Companies

5 7-208.1.

6 NOTHING IN THIS ARTICLE MAY BE CONSTRUED TO PREEMPT ANY LOCAL
7 ZONING ORDINANCE CONCERNING THE USE OF LAND FOR AN ELECTRIC
8 GENERATING STATION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2002.