

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

House Bill 403

(Montgomery County Delegation)

Commerce and Government Matters

Judicial Proceedings

Montgomery County - Eminent Domain - Licensed and Certified Real Estate

Appraisers

MC 202-02

This bill amends the Maryland Constitution to authorize the Montgomery County Council to appoint a licensed and certified real estate appraiser to estimate the fair market value of a property in Montgomery County subject to immediate taking under eminent domain.

Fiscal Summary

State Effect: None.

Local Effect: It is expected that the bill's requirements could be handled using existing resources within the local boards of election.

Small Business Effect: None.

Analysis

Current Law: The Maryland Constitution provides that in Montgomery County, a licensed real estate broker appointed by the County Council shall estimate the fair market value of property for immediate taking under eminent domain.

Background: Currently, only Montgomery and Cecil counties require the use of a broker to estimate the fair market value of a property subject to immediate taking under

eminent domain. All other counties in Maryland require an appraiser to estimate the fair market value of such a property.

The next general election is in November 2002.

Local Fiscal Effect: It is difficult to predict the printing costs for the 2002 general election because the number of ballot cards that will be used is unknown. However, the Montgomery County Board of Elections advises that it could handle the expenses of placing this amendment on the ballot with existing resources because resources for general elections are usually sufficient for longer than average ballots.

If approved by the General Assembly, this constitutional amendment will be submitted to the voters at the 2002 general election. The Maryland Constitution requires that proposed amendments to the constitution be publicized either: (1) in at least two newspapers in each county, if available, and in at least three newspapers in Baltimore City once a week for four weeks immediately preceding the general election; or (2) by order of the Governor in a manner provided by law. State law provides that local boards of elections may publicize proposed amendments to the constitution either in newspapers or on specimen ballots. Local boards of elections are responsible for the costs associated with these requirements. It is anticipated that the FY 2003 budgets of local boards of elections will contain funding for notifying qualified voters about proposed constitutional amendments for the 2002 general election in newspapers or on specimen ballots.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

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ncs/hlb

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