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By: **Senator Colburn**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Municipal Corporations - Proposed Annexation Resolutions - Notice and**  
3 **Hearing Requirements**

4 FOR the purpose of altering the number of times that notice of the submission to the  
5 voters of a municipal corporation of a proposed annexation resolution must be  
6 published in a newspaper under certain circumstances; altering the time frame  
7 within which a public hearing shall be set on a proposed annexation resolution  
8 under certain circumstances; and generally relating to notice of and hearing  
9 requirements for proposed annexation resolutions in municipal corporations.

10 BY repealing and reenacting, with amendments,  
11 Article 23A - Corporations - Municipal  
12 Section 19(d)  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2002 Supplement)

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

17 **Article 23A - Corporations - Municipal**

18 19.

19 (d) After the introduction of the resolution into the legislative body of the  
20 municipal corporation, the chief executive and administrative officer of the municipal  
21 corporation shall cause a public notice thereof to be published not fewer than four  
22 times OR, IF THE PROPOSED ANNEXATION IS FOR 50 ACRES OF LAND OR LESS, NOT  
23 FEWER THAN TWO TIMES, at not less than weekly intervals in a newspaper or  
24 newspapers of general circulation in the municipal corporation and the area to be  
25 annexed, briefly and accurately describing the proposed change and the conditions  
26 and circumstances applicable. The public notices shall specify a time and place at  
27 which a public hearing will be held by the legislative body on the resolution; the  
28 hearing shall be set for not less than 15 days after the fourth publication of the  
29 notices OR, IF THE PROPOSED ANNEXATION IS FOR 50 ACRES OF LAND OR LESS, NOT  
30 LESS THAN 15 DAYS AFTER THE SECOND PUBLICATION OF THE NOTICES, and shall be

1 held either within the boundaries of the municipal corporation or within the area to  
2 be annexed. The public hearing may be continued or rescheduled for a subsequent  
3 time not to exceed 30 days from the day for which the meeting was originally  
4 scheduled, or the day on which the hearing commenced but was not completed. In the  
5 event of a continuation or rescheduling, a single public notice shall be given at least  
6 seven days prior to the continued or rescheduled date in a newspaper of general  
7 circulation in the municipal corporation and in the area whose annexation is to be  
8 discussed, briefly and accurately describing the property whose annexation is to be  
9 discussed, and specifying the day, time, and place of the public hearing. Immediately  
10 upon the first publication of the public notice, a copy of the public notice shall be  
11 provided to the governing body of the county and any regional and State planning  
12 agencies having jurisdiction within the county. Each of these agencies and  
13 jurisdictions shall have the first right to be heard at the scheduled public hearing,  
14 after which the hearing shall be open to the general public.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
16 effect October 1, 2003.