
By: **Senator Colburn**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2003

CHAPTER _____

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~~ 25 ACRES OF LAND OR LESS, NOT
23 FEWER THAN TWO TIMES, at not less than weekly intervals in a newspaper or

1 newspapers of general circulation in the municipal corporation and the area to be
2 annexed, briefly and accurately describing the proposed change and the conditions
3 and circumstances applicable. The public notices shall specify a time and place at
4 which a public hearing will be held by the legislative body on the resolution; the
5 hearing shall be set for not less than 15 days after the fourth publication of the
6 notices OR, IF THE PROPOSED ANNEXATION IS FOR ~~50~~ 25 ACRES OF LAND OR LESS,
7 NOT LESS THAN 15 DAYS AFTER THE SECOND PUBLICATION OF THE NOTICES, and
8 shall be held either within the boundaries of the municipal corporation or within the
9 area to be annexed. The public hearing may be continued or rescheduled for a
10 subsequent time not to exceed 30 days from the day for which the meeting was
11 originally scheduled, or the day on which the hearing commenced but was not
12 completed. In the event of a continuation or rescheduling, a single public notice shall
13 be given at least seven days prior to the continued or rescheduled date in a newspaper
14 of general circulation in the municipal corporation and in the area whose annexation
15 is to be discussed, briefly and accurately describing the property whose annexation is
16 to be discussed, and specifying the day, time, and place of the public hearing.
17 Immediately upon the first publication of the public notice, a copy of the public notice
18 shall be provided to the governing body of the county and any regional and State
19 planning agencies having jurisdiction within the county. Each of these agencies and
20 jurisdictions shall have the first right to be heard at the scheduled public hearing,
21 after which the hearing shall be open to the general public.

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