

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 7, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Subdivision**
3 **Appeals - Judicial Review**
4 **MC/PG 124-05**

5 FOR the purpose of altering the time for filing a petition for judicial review of a final
6 action of the Maryland-National Capital Park and Planning Commission
7 concerning subdivision of land; altering the conditions under which certain
8 persons may petition for review of certain final actions of the Commission;
9 making stylistic changes; and generally relating to appeals concerning
10 subdivisions under the Maryland-National Capital Park and Planning
11 Commission law.

12 BY repealing and reenacting, with amendments,
13 Article 28 - Maryland-National Capital Park and Planning Commission
14 Section 7-116(g)
15 Annotated Code of Maryland
16 (2003 Replacement Volume and 2004 Supplement)

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

19 **Article 28 - Maryland-National Capital Park and Planning Commission**

20 7-116.

21 (g) A final action by the Commission on any application for the subdivision of
22 land MAY BE REVIEWED IN THE CIRCUIT COURT FOR THE COUNTY IF, within 30 days
23 after WRITTEN NOTICE OF the COMMISSION'S action [is taken by the Commission,
24 may be appealed by any person aggrieved by the action, or by], any person,
25 municipality, corporation, or UNINCORPORATED association[, whether or not
26 incorporated,] which [has] appeared [at the hearing] in person, by attorney, or in
27 writing [to the circuit court for the county which may affirm or reverse the action
28 appealed from, or remand it to the Commission for further consideration. When an

1 appeal is filed the procedures described in § 8-105(b) of this article shall be applicable
2 to the Commission and other parties as is appropriate] AT THE COMMISSION'S
3 HEARING FILES A PETITION FOR JUDICIAL REVIEW.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2005.