
By: **Delegate Holmes**

Introduced and read first time: February 9, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Condemnation - Time Period for Filing Action**

3 FOR the purpose of requiring certain condemnation actions to be filed within a
4 certain time period after a certain date; requiring a new authorization to
5 condemn the property if a condemnation action is not filed within a certain time
6 period; and generally relating to actions for condemnation of private property.

7 BY adding to

8 Article - Real Property

9 Section 12-105.1

10 Annotated Code of Maryland

11 (2003 Replacement Volume and 2005 Supplement)

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

14 **Article - Real Property**

15 12-105.1.

16 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE OR ANY
17 OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS SHALL FILE AN ACTION TO
18 ACQUIRE PRIVATE PROPERTY FOR PUBLIC USE BY CONDEMNATION WITHIN 3 YEARS
19 AFTER THE DATE OF THE SPECIFIC ADMINISTRATIVE DETERMINATION TO ACQUIRE
20 THE PROPERTY.

21 (B) IF AN ACTION FOR CONDEMNATION IS NOT FILED WITHIN 3 YEARS AFTER
22 THE DATE DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE STATE OR ANY OF
23 ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS MAY NOT PROCEED WITH
24 CONDEMNATION UNTIL IT FIRST OBTAINS A NEW AUTHORIZATION TO CONDEMN
25 THE PROPERTY.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2006.