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By: **Senators Kittleman, Haines, Hooper, Jacobs, and Mooney**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Condemnation - Slum Area and Blighted Area - Definitions**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to alter  
4 the definition of "blighted area" and "slum area" as they relate to urban renewal  
5 projects; submitting this amendment to the qualified voters of the State of  
6 Maryland for their adoption or rejection; and generally relating to the laws  
7 authorizing the condemnation of private property for the purpose of  
8 rehabilitating or redeveloping slum or blighted areas.

9 BY proposing an amendment to the Maryland Constitution  
10 Article III - Legislative Department  
11 Section 61(a)(1)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article III - Legislative Department**

16 61.

17 (a) The General Assembly may authorize and empower any county or any  
18 municipal corporation, by public local law:

19 (1) To carry out urban renewal projects which shall be limited to slum  
20 clearance in slum or blighted areas and redevelopment or the rehabilitation of slum  
21 or blighted areas, and to include the acquisition, within the boundary lines of such  
22 county or municipal corporation, of land and property of every kind and any right,  
23 interest, franchise, easement or privilege therein, by purchase, lease, gift,  
24 condemnation or any other legal means. The term "slum area" shall mean any area  
25 [where dwellings predominate] IN which NINETY PERCENT OF THE DWELLINGS, by  
26 reason of depreciation, overcrowding, faulty arrangement or design, lack of  
27 ventilation, light or sanitary facilities, or any combination of these factors, are  
28 detrimental to the public safety, health or morals. The term "blighted area" shall  
29 mean an area in which [a majority of] NINETY PERCENT OF THE buildings have

1 declined in productivity by reason of obsolescence, depreciation or other causes to an  
2 extent they no longer justify fundamental repairs and adequate maintenance.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
4 determines that the amendment to the Maryland Constitution proposed by this Act  
5 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
6 Maryland Constitution concerning local approval of constitutional amendments do  
7 not apply.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
9 proposed as an amendment to the Maryland Constitution shall be submitted to the  
10 legal and qualified voters of this State at the next general election to be held in  
11 November, 2006 for their adoption or rejection in pursuance of directions contained in  
12 Article XIV of the Maryland Constitution. At that general election, the vote on this  
13 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
14 there shall be printed the words "For the Constitutional Amendment" and "Against  
15 the Constitutional Amendment," as now provided by law. Immediately after the  
16 election, all returns shall be made to the Governor of the vote for and against the  
17 proposed amendment, as directed by Article XIV of the Maryland Constitution, and  
18 further proceedings had in accordance with Article XIV.