

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 335

(Delegates Sossi and Smigiel)

Environmental Matters

Education, Health, and Environmental
Affairs

**Town of Sudlersville (Queen Anne's County) - Urban Renewal Authority for
Slum Clearance - Repeal**

This bill repeals the authority of Sudlersville to undertake urban renewal projects for slum clearance by exercising the power of eminent domain to acquire properties in blighted areas.

Fiscal Summary

State Effect: None.

Local Effect: Repealing the authority of Sudlersville to undertake urban renewal projects for slum clearance would not affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Chapter 400 of 2004 authorized the Town of Sudlersville to undertake and carry out urban renewal projects.

Background: There are 156 municipalities in Maryland. According to a study by the Maryland Municipal League, around 60 municipalities in Maryland have urban renewal authority. The Town of Sudlersville advises that it has not used this authority. Sudlersville is located in Queen Anne's County and has a population of 397 residents.

Article XI-E of the Maryland Constitution grants municipal corporations broad power to amend their existing charters or local laws and to adopt a new charter without the approval of the General Assembly. In addition, Article XI-E generally prohibits the General Assembly from enacting local laws for particular municipal corporations.

However, this general prohibition is expressly qualified by Article III, Section 61 of the Constitution. This provides that the General Assembly's power to enact local laws regarding local urban renewal projects for slum clearance prevails over the restrictions contained in Article XI-E.

Chapter 519 of 1995 amended the home rule powers of municipal corporations as expressed in Article 23A of the Code by adding the power to acquire land or property for development or redevelopment and to sell or otherwise dispose of the land or property to any private, public, or quasi-public entity. The law, however, specifies that this power may be exercised only by a municipal corporation that has urban renewal authority for slum clearance under Article III, Section 61 of the Maryland Constitution.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Queen Anne's County, Town of Sudlersville, Maryland Municipal League, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2006
ncs/hlb

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