

SENATE BILL 409

N1

8lr1928

By: **Senator Della**

Introduced and read first time: January 31, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Agricultural and Historic Property - Prohibition on**
3 **Condemnation**

4 FOR the purpose of prohibiting the State or any of its instrumentalities or political
5 subdivisions from acquiring all or any part of private property by condemnation
6 under certain circumstances; and generally relating to condemnation.

7 BY adding to

8 Article - Real Property

9 Section 12-101.1

10 Annotated Code of Maryland

11 (2003 Replacement Volume and 2007 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 **12-101.1.**

16 **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE OR ANY**
17 **OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS MAY NOT ACQUIRE**
18 **ALL OR ANY PART OF PRIVATE PROPERTY BY CONDEMNATION IF THE PROPERTY**
19 **IS:**

20 **(1) SUBJECT TO AN EASEMENT UNDER TITLE 2, SUBTITLE 5 OF**
21 **THE AGRICULTURE ARTICLE OR TITLE 5, SUBTITLE 9A OF THE NATURAL**
22 **RESOURCES ARTICLE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES;**

2 **AND**

3 (3) **DESIGNATED AS A NATIONAL HISTORIC LANDMARK.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2008.