

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 741

(Delegate Anderson)(By Request - Baltimore City
Administration)

Environmental Matters

Education, Health, and Environmental Affairs

Baltimore City Land Bank Authority - Recodification

This bill recodifies chapter 468 of 2008, which authorized Baltimore City to create a land bank authority, by relocating the statute from Article 24 of the Annotated Code of Maryland, to Article II of the Baltimore City Charter.

Fiscal Summary

State Effect: None. The change is technical in nature and does not affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 468 of 2008 authorized Baltimore City to create a land bank authority. The land bank authority may acquire, rehabilitate, own, and sell or transfer properties and may establish a land acquisition fund and issue bonds for the purchase and rehabilitation of properties. The land bank authority does not have power of eminent domain and may not levy any tax or special assessment.

Background: As introduced, SB 911 and HB 1555 of 2008 authorized the legislative body in each county and Baltimore City to create a land bank authority. Both bills were amended, limiting this authority to Baltimore City and both bills passed in their respective chambers. When reviewed for constitutionality and legal sufficiency, the

Attorney General advised that because the bills now create express powers only for Baltimore City, the appropriate codification is in Article II of the Baltimore City Charter, where a citizen or legislator may expect to find them. The Attorney General advised a future nonsubstantive recodification of the Baltimore City Land Bank Authority. SB 911 became Chapter 468 of 2008, and HB 1555 was vetoed by the Governor as duplicative.

Additional Information

Prior Introductions: None.

Cross File: SB 901 (Senator McFadden)(By Request - Baltimore City Administration) - Education, Health, and Environmental Affairs.

Information Source(s): State Department of Assessments and Taxation; Office of the Attorney General; Baltimore City; Maryland Department of Planning; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of Labor, Licensing, and Regulation; Department of Legislative Services

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ncs/mwc

Analysis by: Erik P. Timme

Direct Inquiries to:
(410) 946-5510
(301) 970-5510