

HOUSE BILL 256

L6

3lr1262

By: **Delegate Clagett**

Introduced and read first time: January 23, 2013

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Development Rights and Responsibilities Agreements – Direct**
3 **Judicial Review**

4 FOR the purpose of prohibiting a person aggrieved by a development rights and
5 responsibilities agreement from filing an administrative appeal; authorizing a
6 person aggrieved by a development rights and responsibilities agreement to
7 seek direct judicial review by the circuit court by filing a request with the circuit
8 court of the county; requiring that the judicial review be in accordance with the
9 Maryland Rules; and generally relating to development rights and
10 responsibilities agreements.

11 BY adding to
12 Article – Land Use
13 Section 7–307
14 Annotated Code of Maryland
15 (2012 Volume)

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

18 **Article – Land Use**

19 **7–307.**

20 **(A) A PERSON AGGRIEVED BY AN AGREEMENT EXECUTED UNDER THIS**
21 **SUBTITLE:**

22 **(1) MAY NOT FILE AN ADMINISTRATIVE APPEAL; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) MAY SEEK DIRECT JUDICIAL REVIEW OF THE AGREEMENT IN**
2 **CIRCUIT COURT BY FILING A REQUEST WITH THE CIRCUIT COURT OF THE**
3 **COUNTY.**

4 **(B) THE JUDICIAL REVIEW SHALL BE IN ACCORDANCE WITH TITLE 7,**
5 **CHAPTER 200 OF THE MARYLAND RULES.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2013.