

# HOUSE BILL 637

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By: **Delegates Valentino–Smith, Beidle, B. Barnes, Barron, Chang, Fennell,  
Holmes, J. Lewis, Pena–Melynk, Sanchez, Vallario, and A. Washington**  
Introduced and read first time: January 29, 2018  
Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Counties – Asset Transfer for High–Speed Transportation System – Hearing and**  
3 **Approval Requirements**

4 FOR the purpose of requiring the governing body of a county to hold a public hearing before  
5 the transfer of an asset of the county as part of the development of a high–speed  
6 transportation system under certain circumstances; requiring certain notice of the  
7 public hearing to be delivered in a certain manner to certain persons; authorizing  
8 the governing body of the county to require a proposed transferee to conduct the  
9 mailing of a certain notice under certain circumstances; requiring certain approval  
10 by certain county and municipal entities of a transfer of an asset of the county under  
11 certain circumstances; defining certain terms; and generally relating to the transfer  
12 of county assets for the development of a high–speed transportation system.

13 BY adding to  
14 Article – Local Government  
15 Section 12–413  
16 Annotated Code of Maryland  
17 (2013 Volume and 2017 Supplement)

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

20 **Article – Local Government**

21 **12–413.**

22 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
23 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(2) “ASSET” INCLUDES:**

2                   **(I) REAL OR PERSONAL PROPERTY; AND**

3                   **(II) ACCESS TO OR USE OF REAL OR PERSONAL PROPERTY.**

4           **(3) “HIGH-SPEED TRANSPORTATION SYSTEM” INCLUDES:**

5                   **(I) A MAGNETIC LEVITATION TRANSPORTATION SYSTEM; AND**

6                   **(II) A HIGH-SPEED TUNNEL SYSTEM.**

7           **(4) “TRANSFER” INCLUDES A SALE, A LEASE, A CONVEYANCE, A GIFT,**  
8 **A PLEDGE, AN ENCUMBRANCE, AND A TRADE.**

9           **(B) BEFORE A COUNTY TRANSFERS AN ASSET OF THE COUNTY AS PART OF**  
10 **THE DEVELOPMENT OF A HIGH-SPEED TRANSPORTATION SYSTEM THAT PASSES**  
11 **THROUGH THE COUNTY, THE GOVERNING BODY OF THE COUNTY SHALL HOLD A**  
12 **PUBLIC HEARING.**

13           **(C) (1) NOTICE OF THE PUBLIC HEARING REQUIRED UNDER SUBSECTION**  
14 **(B) OF THIS SECTION SHALL BE DELIVERED BY FIRST-CLASS MAIL TO ALL**  
15 **HOMEOWNERS AND BUSINESSES LOCATED WITHIN 500 FEET OF THE ASSET AT LEAST**  
16 **15 DAYS BEFORE THE DATE OF THE PUBLIC HEARING.**

17                   **(2) (I) THE GOVERNING BODY OF THE COUNTY MAY REQUIRE A**  
18 **PROPOSED TRANSFEREE TO CONDUCT THE MAILING OF THE NOTICE REQUIRED**  
19 **UNDER THIS SUBSECTION.**

20                   **(II) IF THE GOVERNING BODY OF THE COUNTY REQUIRES A**  
21 **PROPOSED TRANSFEREE TO CONDUCT THE MAILING OF THE NOTICE UNDER THIS**  
22 **SUBSECTION, THE GOVERNING BODY OF THE COUNTY SHALL REVIEW THE NOTICE**  
23 **AND CONFIRM THAT ALL NOTICE REQUIREMENTS ARE SATISFIED.**

24           **(D) APPROVAL OF A TRANSFER OF AN ASSET OF THE COUNTY AS PART OF**  
25 **THE DEVELOPMENT OF A HIGH-SPEED TRANSPORTATION SYSTEM THAT PASSES**  
26 **THROUGH THE COUNTY SHALL BE MADE ONLY BY:**

27                   **(1) A SUPERMAJORITY VOTE OF THE GOVERNING BODY OF THE**  
28 **COUNTY; AND**

29                   **(2) IF APPLICABLE, THE GOVERNING BODY OF ANY MUNICIPALITY IN**  
30 **WHICH ANY PART OF THE ASSET IS LOCATED.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2018.