

HOUSE BILL 935

M4

9lr1042

By: **Delegate Stein**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agricultural Land Preservation Easements – Use of Land – Signs Forbidding**
3 **Trespassing, Hunting, or the Destruction of Property**

4 FOR the purpose of requiring a landowner to locate certain signs forbidding trespassing,
5 hunting, or the destruction of property a certain minimum distance apart on land
6 subject to an agricultural land preservation easement under certain circumstances;
7 providing for the application of this Act; and generally relating to the use of land
8 subject to an agricultural land preservation easement.

9 BY repealing and reenacting, without amendments,
10 Article – Agriculture
11 Section 2–513(b)(1)
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Agriculture
16 Section 2–513(b)(11)
17 Annotated Code of Maryland
18 (2016 Replacement Volume and 2018 Supplement)

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

21 **Article – Agriculture**

22 2–513.

23 (b) (1) A landowner whose land is subject to an easement may not use the land
24 for any commercial, industrial, or residential purpose except:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) As determined by the Foundation, for farm– and forest–related
2 uses and home occupations; or

3 (ii) As otherwise provided under this section.

4 (11) (i) **[A] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,**
5 A landowner may, without the approval of the Foundation, erect and display on land subject
6 to an easement under this subtitle a sign or any other outdoor advertising display
7 measuring not more than 4 feet by 4 feet for the purpose of:

8 1. Stating the name or address of the property or its
9 occupant;

10 2. Advertising any farm– or forest–related uses of the
11 property or any home occupations that occur on the property with the approval of the
12 Foundation;

13 3. Advertising the sale of agricultural products, consistent
14 with the policies of the Foundation;

15 4. Advertising that the property is available for sale or rent;

16 5. Forbidding trespassing, hunting, or the destruction of
17 property;

18 6. Marking the boundaries of the property;

19 7. Identifying the protected status of the property; or

20 8. Supporting a political candidate.

21 (ii) The Foundation may authorize a landowner to erect and display
22 on land subject to an easement under this subtitle a sign or any other outdoor advertising
23 display measuring not more than 4 feet by 4 feet for the purpose of providing any other
24 information consistent with the purposes of the Foundation.

25 (iii) **IF, IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS**
26 **PARAGRAPH, A LANDOWNER ERECTS AND DISPLAYS ON LAND SUBJECT TO AN**
27 **EASEMENT UNDER THIS SUBTITLE MORE THAN ONE SIGN FORBIDDING**
28 **TRESPASSING, HUNTING, OR THE DESTRUCTION OF PROPERTY, THE LANDOWNER**
29 **SHALL LOCATE THE SIGNS AT LEAST 500 FEET APART.**

30 (IV) This paragraph:

31 1. Supersedes any inconsistent provisions of a deed or any
32 other agreement granting an easement under this subtitle; and

1 2. Does not supersede any local law or ordinance governing
2 signs or outdoor advertising displays.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
4 apply retroactively and shall be applied to and interpreted to affect agricultural land
5 preservation easements acquired by the Maryland Agricultural Land Preservation
6 Foundation before the effective date of this Act.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2019.