

SENATE BILL 978

N1, M4

9lr3262

By: **Senator Serafini**

Introduced and read first time: February 18, 2019

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Agricultural Land Preservation Easements – Separate Parcels**

3 FOR the purpose of extending the termination date for certain provisions of law
4 establishing that, unless a certain deed expressly provides otherwise, the grant of a
5 certain agricultural land preservation easement governing two or more separate
6 parcels of land owned by the same grantor under separate deeds or two or more
7 parcels separately identified and described in the same deed does not consolidate the
8 parcels for any other purpose under certain circumstances; extending the
9 termination date for certain provisions of law establishing that a certain parcel of
10 land subject to an agricultural land preservation easement may be conveyed
11 separately to a certain child of a certain grantor with certain approval of the
12 Maryland Agricultural Land Preservation Foundation, but shall remain subject to
13 the easement in perpetuity; extending the termination date for a certain provision of
14 law requiring the Foundation to apply certain acreage requirements for agricultural
15 subdivision as a part of its review of a certain request for a certain agricultural
16 subdivision and a certain corrective easement; and generally relating to agricultural
17 land preservation easements.

18 BY repealing and reenacting, without amendments,
19 Article – Agriculture
20 Section 2–513.2
21 Annotated Code of Maryland
22 (2016 Replacement Volume and 2018 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article – Real Property
25 Section 2–118(f)
26 Annotated Code of Maryland
27 (2015 Replacement Volume and 2018 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Chapter 662 of the Acts of the General Assembly of 2017
2 Section 3

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

5 **Article – Agriculture**

6 2–513.2.

7 As a part of its review of a request by an original grantor of an easement for an
8 agricultural subdivision of land subject to the easement and a corrective easement of land
9 subject to the easement, the Foundation shall apply the acreage requirements for
10 agricultural subdivisions that existed at the time the easement was purchased.

11 **Article – Real Property**

12 2–118.

13 (f) (1) This subsection applies only to land that is subject to an agricultural
14 land preservation easement granted to the Maryland Agricultural Land Preservation
15 Foundation on or before December 31, 1999.

16 (2) Unless the deed granting the easement expressly provides otherwise,
17 the grant of an agricultural land preservation easement governing two or more separate
18 parcels of land owned by the same grantor under separate deeds or two or more parcels
19 separately identified and described in the same deed does not consolidate the parcels for
20 any other purpose, if the parcels are described separately in the deed granting the
21 easement.

22 (3) Notwithstanding any other provision of law, one of the parcels of land
23 described under paragraph (2) of this subsection:

24 (i) May be conveyed separately to a child of the original grantor with
25 the approval of the Maryland Agricultural Land Preservation Foundation in accordance
26 with § 2–513.2 of the Agriculture Article and the criteria, eligibility requirements, and
27 procedure for an agricultural subdivision and corrective easement established by regulation
28 by the Maryland Agricultural Land Preservation Foundation; but

29 (ii) Shall remain subject to the agricultural land preservation
30 easement in perpetuity.

31 **Chapter 662 of the Acts of 2017**

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
33 1, 2017. It shall remain effective for a period of [2] 4 years and 1 month and, at the end of
34 June 30, [2019] 2021, with no further action required by the General Assembly, this Act

1 shall be abrogated and of no further force and effect.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
3 1, 2019.