A BILL ENTITLED

AN ACT concerning

Environment – Wetlands and Waterways – Riparian Rights

FOR the purpose of specifying that the riparian rights of a community association or other entity may not be terminated or impaired as a result of erosion, sea level rise, or the issuance of certain approvals; requiring the Department of the Environment to establish and maintain a certain repository on the Department’s website for certain purposes; providing for the application of this Act; and generally relating to riparian rights.

BY adding to

Article – Environment
Section 16–201.1
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

Article – Environment

16–201.1.

(A) THIS SECTION APPLIES TO A COMMUNITY ASSOCIATION THAT POSSESSES RIPARIAN RIGHTS, INCLUDING THROUGH AN EXPRESS RESERVATION OF RIPARIAN RIGHTS TO CONTROL ACCESS TO THE WATER IN A DEED OR OTHER RECORDED INSTRUMENT.

(B) THE RIPARIAN RIGHTS OF A COMMUNITY ASSOCIATION OR ENTITY MAY NOT BE TERMINATED OR IMPAIRED AS A RESULT OF:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(1) EROSION OR SEA LEVEL RISE; OR

(2) THE ISSUANCE OF AN APPROVAL BY A COUNTY, THE DEPARTMENT, OR THE BOARD TO A WATERFRONT PROPERTY OWNER, INCLUDING THE ISSUANCE OF A WETLANDS AND WATERWAYS OR A BUILDING PERMIT, LICENSE, OR OTHER APPROVAL.

(C) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A PUBLICLY ACCESSIBLE REPOSITORY ON THE DEPARTMENT'S WEBSITE TO KEEP RECORD OF COMMUNITY ASSOCIATIONS AND OTHER ENTITIES THAT POSSESS RIPARIAN RIGHTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.