A BILL ENTITLED

1 AN ACT concerning

2 Municipal Incorporation – County Commissioners or County Council – Required Consideration of Referendum Request

3 FOR the purpose of requiring the county commissioners or county council to consider a certain referendum request if a valid petition to incorporate an area as a municipality is presented by a certain percentage of the registered voters who are residents of the area proposed to be incorporated; and generally relating to the incorporation of municipalities.

4 BY repealing and reenacting, without amendments,

5 Article – Local Government

6 Section 4–202

7 Annotated Code of Maryland

8 (2013 Volume and 2021 Supplement)

9 BY repealing and reenacting, with amendments,

10 Article – Local Government

11 Section 4–207

12 Annotated Code of Maryland

13 (2013 Volume and 2021 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 Article – Local Government

17 4–202.

18 This subtitle governs municipal incorporation.
(A) The county commissioners or county council shall consider the referendum request if a valid petition is presented by not less than 40% of the registered voters who are residents of the area proposed to be incorporated.

[(a) (B)] (1) If the county commissioners or county council approves the referendum request, between 40 and 60 days after it receives the proposed municipal charter, the county commissioners or county council shall specify, by resolution, the day and hours for a vote on the proposed incorporation by the voters of the area to be incorporated.

(2) The resolution shall include the exact text of the proposed municipal charter as submitted by the organizing committee.

[(b) (C)] (1) If the county commissioners or county council rejects the referendum request, the county commissioners or county council shall:

(i) provide in writing and make available to the public within a reasonable time the reasons for the rejection; and

(ii) establish reasonable procedures by which the county commissioners or county council shall reconsider a referendum request, including an opportunity for a public hearing with sufficient advance public notice.

(2) After the hearing and reconsideration process is completed, the county commissioners or county council, by resolution, shall affirm the rejection or approve the referendum request.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.