

Chapter 424

(House Bill 1026)

AN ACT concerning

Prince George’s County – Land Use – Development of Neglected Property

PG 406–23

FOR the purpose of authorizing Prince George’s County to exercise powers of eminent domain to acquire and develop or redevelop, for a public purpose, certain neglected property located in the county that has been designated as a transit-oriented development and is located within a business development district; and generally relating to eminent domain in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Land Use

Section 25–101

Annotated Code of Maryland

(2012 Volume and 2022 Supplement)

BY adding to

Article – Land Use

Section 25–403

Annotated Code of Maryland

(2012 Volume and 2022 Supplement)

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

Article – Land Use

25–101.

This title applies only in Prince George’s County.

25–403.

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

(2) “BUSINESS IMPROVEMENT DISTRICT” MEANS A BUSINESS IMPROVEMENT DISTRICT ESTABLISHED UNDER TITLE 12, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE IN THE COUNTY.

(3) “NEGLECTED PROPERTY” MEANS IMPROVED OR UNIMPROVED REAL PROPERTY THAT:

(I) IS ZONED FOR COMMERCIAL, INDUSTRIAL, ~~RESIDENTIAL~~, OR NONRESIDENTIAL USE BY THE DISTRICT COUNCIL; AND

(II) HAS BEEN ABANDONED, BLIGHTED, OR CONDEMNED.

(4) “PURPLE LINE” HAS THE MEANING STATED IN § 2-103.8 OF THE TRANSPORTATION ARTICLE.

(5) (I) “TRANSIT-ORIENTED DEVELOPMENT” HAS THE MEANING STATED IN § 7-101 OF THE TRANSPORTATION ARTICLE.

(II) “TRANSIT-ORIENTED DEVELOPMENT” INCLUDES LIGHT RAIL STOPS THAT ARE LOCATED ON THE PURPLE LINE IN PRINCE GEORGE’S COUNTY.

(B) THIS SECTION DOES NOT APPLY TO STATE-OWNED PROPERTY.

(C) THE COUNTY MAY EXERCISE THE POWER OF EMINENT DOMAIN ON NEGLECTED PROPERTY IN AN AREA THAT:

(1) HAS BEEN DESIGNATED AS A TRANSIT-ORIENTED DEVELOPMENT; AND

(2) IS LOCATED IN A BUSINESS ~~DEVELOPMENT~~ IMPROVEMENT DISTRICT.

~~(D)~~ (D) NEGLECTED PROPERTY OBTAINED UNDER THIS SECTION IS INTENDED TO BE DEVELOPED OR REDEVELOPED FOR AN ECONOMIC DEVELOPMENT PURPOSE IN THE COUNTY.

~~(E)~~ (E) LAND OR PROPERTY TAKEN BY THE COUNTY THROUGH THE EXERCISE OF EMINENT DOMAIN UNDER THIS SECTION:

(1) MAY ONLY BE TAKEN FOR A PUBLIC PURPOSE, INCLUDING FOR PRIVATE DEVELOPMENT THAT IS CONSISTENT WITH A PUBLIC PURPOSE; AND

(2) MAY NOT BE TAKEN WITHOUT JUST COMPENSATION, AS AGREED ON BETWEEN THE PARTIES, OR AWARDED BY A JURY, BEING FIRST PAID OR TENDERED TO THE PARTY ENTITLED TO THE COMPENSATION, IN ACCORDANCE WITH TITLE 12 OF THE REAL PROPERTY ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 3, 2023.