

# HOUSE BILL 1026

L2, L5

(3lr1808)

## ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County – Land Use – Development of Neglected Property**

3 **PG 406–23**

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

9 BY repealing and reenacting, without amendments,  
10 Article – Land Use  
11 Section 25–101  
12 Annotated Code of Maryland  
13 (2012 Volume and 2022 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 BY adding to  
2 Article – Land Use  
3 Section 25–403  
4 Annotated Code of Maryland  
5 (2012 Volume and 2022 Supplement)

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

8 **Article – Land Use**

9 25–101.

10 This title applies only in Prince George’s County.

11 **25–403.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.