

HB0717/383923/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 717
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “exempting” in line 4 down through “Law;” in line 5; in line 6, strike “Department’s”; in the same line, after “property” insert “by the Department of Natural Resources”; in line 9, after “Department” insert “and the Natural Resources Police”; in line 15, strike “acreage attainment under” and substitute “the use of”; in the same line, after “Space” insert “local funding”; strike in their entirety lines 17 through 21, inclusive; and in line 24, strike “(c)(1)” and substitute “(b)(3), (c)(1) and (3)(i) and (ii), (d), and (e)”.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 13 on page 2 through line 12 on page 8, inclusive.

On page 8 in line 25 and on page 9 in lines 2 and 3, in each instance, strike “**REAL PROPERTY**” and substitute “**FEE SIMPLE**”.

On page 8, in line 29, strike “**REAL PROPERTY**” and substitute “**FEE SIMPLE INTEREST**”.

On page 9, in line 26, strike “and (3)” and substitute “**, (3), AND (4)**”.

On page 10, after line 28, insert:

“(4) THE DEPARTMENT MAY NOT DISPOSE OF A CONSERVATION EASEMENT INTEREST UNDER THIS SUBSECTION.”

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On page 11, in line 21, strike the second “AND”; and in line 22, after “RECREATION” insert “, AND THE NATURAL RESOURCES POLICE”.

On page 12, in line 3, strike “AND MAINTENANCE” and substitute “, MAINTENANCE, AND LAW ENFORCEMENT”.

On page 15, after line 24, insert:

“(b) (3) Subject to the approval of the Department, a local governing body may use part of its acquisition funds for initial or periodic updating of local land preservation and recreation plans. The amount that may be used by a subdivision for planning purposes in the local land preservation and recreation plan shall not exceed [\$25,000 for any one fiscal year] \$125,000 FOR ANY INDIVIDUAL PLAN UPDATE WITHIN THE 5-YEAR UPDATE CYCLE. Local matching funds are not required for planning or updating the local land preservation and recreation plan.”;

strike beginning with “provided” in line 26 down through “subtitle” in line 28; and in line 29, after “(ii)” insert “1. THIS SUBPARAGRAPH APPLIES TO A LOCAL GOVERNING BODY’S:

A. APPORTIONMENT NOT YET ENCUMBERED AS OF JULY 1, 2025;

B. FISCAL YEAR 2026 APPORTIONMENT; AND

C. FUTURE ANNUAL APPORTIONMENT.

2.”.

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On page 16, strike beginning with “future” in line 2 down through “renewal” in line 4 and substitute “**APPORTIONMENT FOR DEVELOPMENT PROJECTS**”; and after line 21, insert:

“(3) (i) Except as provided in subparagraph (iii) of this paragraph, if the local governing body is unable to obtain STATE OR federal funds OTHER THAN THE FUNDS ALLOCATED UNDER SUBSECTION (A) OF THIS SECTION AND pursuant to § 5–906 of this subtitle, for each approved local development project the State shall provide:

1. 75 percent of the total project cost; or
2. If the Department has certified pursuant to paragraph (1) of this subsection that acquisition goals have been met, 90 percent of the total project cost.

(ii) Except as provided in subparagraph (iii) of this paragraph, if STATE FUNDS, OTHER THAN THE FUNDS ALLOCATED UNDER SUBSECTION (A) OF THIS SECTION, OR federal funds are provided on any development project cost, [the State shall provide 50 percent of the difference between the total project cost and the federal contribution. Subject to the limitation that total State funds, when added to every other available fund, may not exceed 100 percent of a project’s cost, the minimum State contribution to a project shall be 25 percent. If the federal funds are less than 50 percent of the total project cost, the State shall provide an amount equal to the difference between the federal contribution and] AND PROVIDED THAT THE TOTAL STATE FUNDS WHEN ADDED TO EVERY OTHER AVAILABLE FUND DOES NOT EXCEED 100 PERCENT OF THE TOTAL PROJECT COST, THE LOCAL JURISDICTION SHALL MATCH:

1. [75 percent of the total project cost] 25 PERCENT OF THE PROGRAM OPEN SPACE GRANT AMOUNT; or
2. [If the Department has certified pursuant to paragraph (1) of this subsection that acquisition goals have been met, 90 percent of the total project cost] 10 PERCENT OF THE PROGRAM OPEN SPACE GRANT AMOUNT.

(Over)

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(d) If land is donated to local governing bodies during the fiscal year, 75 percent of the appraised value the Department approves may be applied as a portion of, or all of, the local governing body's share of the project's cost for the projects referred to in [§ 5-904 of this subtitle] **SUBSECTION (C) OF THIS SECTION.**

(e) If federal funds are received for any approved local project after it was funded by the State in accordance with [subsection (b)] **SUBSECTIONS (B) AND (C)** of this section [or § 5-904 of this subtitle], the applicant shall reimburse the State in an amount equal to the federal contribution. The reimbursement shall be reserved for other projects approved for the applicant up to the limit of the share allocated to the local governing body."