

# SENATE BILL 630

N1, C5

6lr2528

CF 6lr2530

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By: **Senators West and Hester**

Introduced and read first time: February 5, 2026

Assigned to: Judicial Proceedings and Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Overhead Transmission Lines and Eminent Domain – Property Value – Damages**

3 FOR the purpose of authorizing the owner of property used for residential purposes to bring  
4 an action to recover damages incurred as a result of the value of the property being  
5 diminished from the use of eminent domain to take property and construct an  
6 overhead transmission line within a certain distance of the property owner's  
7 residence; requiring that reasonable fees be awarded to counsel for the defendant in  
8 a condemnation proceeding and that the costs be charged against the plaintiff under  
9 certain circumstances; and generally relating to overhead transmission lines and  
10 eminent domain.

11 BY adding to

12 Article – Real Property  
13 Section 12–104(h)  
14 Annotated Code of Maryland  
15 (2023 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Real Property  
18 Section 12–105(b) and 12–107(b)  
19 Annotated Code of Maryland  
20 (2023 Replacement Volume and 2025 Supplement)

21 BY repealing and reenacting, without amendments,

22 Article – Real Property  
23 Section 12–107(a)  
24 Annotated Code of Maryland  
25 (2023 Replacement Volume and 2025 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Article – Real Property

2 12-104.

3 (H) (1) THE OWNER OF PROPERTY THAT IS USED FOR RESIDENTIAL  
4 PURPOSES MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION FOR  
5 DAMAGES INCURRED AS THE RESULT OF THE VALUE OF THAT PROPERTY BEING  
6 DIMINISHED BY THE TAKING OF ANOTHER PROPERTY IN ACCORDANCE WITH THIS  
7 SUBTITLE IF THE PROPERTY BEING TAKEN:

8 (I) IS LOCATED WITHIN 300 FEET OF THE OWNER'S RESIDENCE;  
9 AND

10 (II) WAS TAKEN IN CONJUNCTION WITH THE CONSTRUCTION OF  
11 AN OVERHEAD TRANSMISSION LINE OR RELATED INFRASTRUCTURE.

18 12-105.

7 12-107.

8       (a) Any party to a condemnation case may appeal from a final judgment or  
9 determination in the manner prescribed by the Maryland Rules.

10                   (b)    (1)   If the final decision on appeal is that the plaintiff is not entitled to  
11 condemn the property, a reasonable counsel fee fixed by the trial court shall be awarded to  
12 counsel for the defendant and charged against the plaintiff together with the other costs of  
13 the case.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2026.