

March 30th, 2023



The Honorable Brian Feldman
Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: HB1026- Prince George's County - Land Use - Development of Neglected Property PG 406-23

Position: OPPOSE

Chair Feldman and the Education, Energy, and Environment Committee,

The ICSC Maryland Government Relations Committee urges an unfavorable report on House Bill 1026, *Prince George's County - Land Use - Development of Neglected Property*. ICSC is the marketplaces industry association supporting more than 45,000 members. In Maryland, we support almost 1,000 members, 500,000 jobs and provide nearly \$7.1 Billion in state sales and use tax revenue.

This bill would allow the Prince George's County to exercise the power of eminent domain on properties deemed neglected in areas designated as transit-oriented developments or business development districts. Our membership believes that development around transit-oriented developments is integral to the growth of the State, however, this policy is concerning. As written, this legislation's definition of "neglected property" includes abandoned, blighted, or condemned property that is zoned for commercial, industrial, or nonresidential use. This definition, in particular the use of "blighted", is too broad and leaves much up to interpretation by the authority.

This could lead to unintended consequences, where a property that operates in good faith and drives economic development is deemed blighted due to a subjective determination by the authority, and eminent domain is exercised. Instead of its initial intent, this bill may also have the opposite effect. With the looming ability to exercise eminent domain with wide interpretation, current and prospective developers in transit-oriented developments may be dissuaded to invest into properties. While this legislation is well intended, we believe that the unintentional consequences may cause serious harm to our membership's ability to operate their marketplaces, and we respectfully urge the Committee to provide an unfavorable report.

If you have any questions regarding this document, the legislation, or ICSC generally please do not hesitate to contact Sushant Sidh (Sushant.Sidh@capitol-strategies.com) or Michael Walsh (Michael.Walsh@capitol-strategies.com)