



## **WRITTEN TESTIMONY**

**BILL NO.:** Senate Bill 1362 - Eminent Domain - Just Compensation - Fees and Costs

**COMMITTEE:** House Economic Matters Committee

**HEARING DATE:** March 6, 2025

**SPONSORS:** Delegates Mangione, Beauchamp, Bouchat, Buckel, Grammer, Miller, M. Morgan, T. Morgan, Nawrocki, Otto, Pippy, Reilly, Szeliga, Tomlinson, and Woods

**POSITION:** Favorable

I am writing to express my strong support for House Bill 1362, which seeks to ensure that property owners subject to eminent domain proceedings receive full and fair compensation. This bill is a critical step in protecting the rights of landowners across Maryland by mandating that damages awarded in a condemnation proceeding include not only the fair market value of the land taken but also any legal, expert, or other fees and costs incurred by the defendant.

### **The Need for HB1362**

Eminent domain is a significant power granted to government entities, allowing them to take private land for public use. While this power is sometimes necessary for infrastructure and public projects, it can impose serious financial burdens on property owners who must defend their rights in court. Under current law, property owners often face substantial legal and expert fees when challenging a condemnation action, placing them at a severe financial disadvantage.

HB1362 corrects this imbalance by ensuring that when land is taken, all reasonable costs incurred by the property owner in defending their rights are reimbursed. This measure promotes fairness and justice in the eminent domain process and upholds the fundamental principle that no landowner should be forced to bear additional financial burdens simply because their property was targeted for public use.

### **Key Benefits of HB1362**

#### **1. Fair Compensation for Property Owners**

- Ensuring that landowners receive just compensation, including reimbursement of legal and expert fees, aligns Maryland's eminent domain policies with the fundamental principles of fairness and property rights.

#### **2. Redressing the Financial Disparity Between Property Owners and Government Entities**



- Government agencies and developers often have significant legal and financial resources at their disposal, whereas individual property owners may struggle to afford necessary legal representation. HB1362 helps level the playing field.

### 3. Preventing Unjust Takings

- By requiring full compensation, including litigation costs, HB1362 discourages unnecessary or speculative takings and ensures that eminent domain is used only when truly in the public interest.

### 4. Strengthening Trust in Government and the Eminent Domain Process

- When landowners see that they will be treated fairly and will not face crippling legal expenses, confidence in the process improves, leading to fewer contentious legal battles and greater cooperation in necessary public projects.

## Conclusion

Maryland has a duty to uphold the rights of its property owners and ensure that those impacted by eminent domain are not left with undue financial burdens. HB1362 is a necessary and just measure that reaffirms the state's commitment to fairness in the condemnation process. I respectfully urge the committee to issue a **favorable report** on HB1362 and ensure that property owners in Maryland receive the full compensation they deserve.

Thank you for your time and consideration.

## Respectfully submitted,

Joanne Frederick

President

Stop MPRP, Inc.

[joanne.frederick@stopmprp.org](mailto:joanne.frederick@stopmprp.org)

443.789.1382