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Committee: Education, Energy, and the Environment

Testimony on: SB0955 “Overhead Transmission Lines – Eminent Domain”

Position: Support with amendments

Hearing Date: March 6, 2025

Valleys Planning Council, a non-profit that conserves land and resources, preserves historic character and maintains the rural feel and land uses in northwestern Baltimore County, urges a favorable report on SB0955, which would prohibit the condemnation of land protected by a conservation easement so that the land could be acquired to construct an overhead transmission line, authorize property owners within 500 feet of a transmission line or other infrastructure to sue for the reduction in value of the property caused by the taking of another property to construct an overhead transmission line.

One of the reasons landowners choose to preserve their land is to protect it from development. Landowners give up certain rights for the greater good. Eminent domain takes land for the greater good. There is no way to prove that a transmission line is a “greater” greater good than preserved land.

It should also be recognized that construction of a transmission line devalues nearby land. Taking land by eminent domain affects not just the person who owns the taken land and nearby landowners should be able to bring action.

The bill should be amended so that 7-207, (VI) reads: “Notwithstanding any other law, a person may not exercise a right of condemnation to acquire property encumbered by a conservation easement OR TO ACQUIRE AN EASEMENT OR RIGHT-OF-WAY ON PROPERTY ENCUMBERED BY A CONSERVATION EASEMENT, as defined under § 10-705(A) of the Real Property Article, for the purpose of constructing an overhead transmission line.”

It should further be amended so that 10-705 (a)(2)(i)(5) includes “a local Rural Legacy Program”.

Valleys Planning Council urges a favorable report on SB0955 with an amendment.

Renée Hamidi
Executive Director
Valleys Planning Council

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