

March 10<sup>th</sup>, 2025

Delegate Marc Korman  
Maryland House of Delegates  
Chair – Environment and Transportation Committee

Re: HB0532

Delegate Korman,

I write to express my strong opposition to House Bill 1525, along with the 156 out of 157 Maryland Municipalities, their residents, and voters who oppose this legislation, and the Maryland Municipal League. This legislation prohibits municipalities from annexing land in a different legislative district than their own.

This bill is fundamentally flawed, conflicts with established legal precedent, undermines municipal autonomy, and represents an unprecedented overreach that would serve only the narrow interests of a single municipality's administration, not the body politic, rather than the broader interests of the State of Maryland. The very foundation of this bill is built upon an ill-conceived and reactionary effort that has no basis in sound policy or legislative necessity.

I previously sat before this committee with Delegate Barnes regarding House Bill 0532 to discuss municipal annexation. At that time, it was clearly understood that legislation was unnecessary, as all parties involved had reached a mutual understanding. That understanding has proven effective, with all stakeholders upholding their commitments and resolving their concerns through existing processes.

I was genuinely surprised to see House Bill 1525 introduced, as it contradicts the previous cooperative approach. Local issues of this nature can and should be resolved at the local level, rather than requiring a sweeping statewide mandate, as previously stated in this committee.

While this bill does not directly pertain to Bladensburg or Cheverly nor are the two municipalities the subject of its design, it undeniably harms the towns after they worked so hard to achieve an agreement for themselves and one that supported municipalities across the state. That agreement led to Delegate Barnes withdrawing HB0532. Yet here we are again on HB1525.

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After extensive collaboration with all parties involved in the previous annexation discussions, including Delegate Barnes, it is disheartening to see an attempt to reopen and re-litigate an issue already resolved in good faith. This bill represents nothing more than an unnecessary second bite at the apple, undermining the progress we previously worked so hard to achieve, underscoring the term “law of unintended consequences.”

There is no emergency in municipal annexation, yet HB 1525 is being rushed through under the pretense of an emergency measure. This bill's emergency designation, its late entry after the legislative filing deadline, and the complete lack of any compelling evidence to support its urgency are glaring indicators that this legislation is not about proper governance but rather about halting a proposed process that may not favor one municipal administrator.

The absence of substantive justification for such a landmark, statewide restriction raises the question: What, exactly, is the emergency?

The answer is clear, there is none. Unless, of course, the emergency was entirely self-created by a municipal administrator who, after allegedly failing to act in a timely manner to annex property as, now seeks to pause the clock and manipulate the legislative process to achieve a self-serving goal at the expense of every municipality in Maryland.

The Maryland Constitution, Article III, Section 4, explicitly mandates that legislative districts give "due regard" to natural and municipal boundaries during redistricting. The Maryland Court of Appeals has upheld that "the due regard clause requires deference to boundaries of a municipality." *In re: Legislative Districting*, 271 Md. 320 (1974).

A municipality is a political subdivision of the state, and its boundaries should be given the same respect in annexation matters as counties are afforded in the redistricting process. According to Merriam-Webster, "deference" is defined as an affected or ingratiating regard for another's wishes. If a home rule municipality, acting within its legal rights seeks to annex land outside a legislative district. In that case, the General Assembly should respect that wish, just as it is constitutionally required to respect a county's boundaries when redrawing legislative districts.

This bill is legally questionable and completely inconsistent with the longstanding interpretation of Maryland's annexation laws. In 2002, the Maryland Attorney General issued an opinion stating that Maryland's general annexation law impliedly permits a municipal corporation to annex land in an adjacent county. This was the case in the matter of the City of Havre de Grace, which sought to annex an island in the Susquehanna River located in Cecil County. *87 Op. Att'y Gen. Md. 161 (2002)*.

If Maryland law already allows for annexation across county lines, then it follows logically that annexation across a legislative district boundary—an artificial and shifting political construct—should not present an insurmountable barrier. The idea that legislative districts should serve as a hard stop for municipal growth, while counties remain annexable, defies both logic and established legal precedent.

This bill would also throw Maryland's redistricting process into unnecessary chaos. If municipalities cannot annex land in a different legislative district, then the redistricting commissions of Maryland may be forced to redraw legislative boundaries every time a municipality expands its borders. This raises serious concerns:

- Would municipalities be blocked from annexation for an entire decade simply because legislative lines remain static between Census cycles?
- Would redistricting commissions be forced to upend the entire districting map each time a municipality seeks to grow?
- Would municipalities be forced into inefficient and disjointed growth patterns to avoid conflicting with district lines?

This bill's fundamental governance questions remain unanswered, further proving its recklessness and impracticality. The General Assembly should not enact legislation that creates more problems than it solves.

Beyond these governance flaws, HB 1525 is also poorly conceived in its drafting. The bill fails to define the type of legislative district it refers to. Does the bill intend to reference senatorial districts, congressional districts, state senatorial districts, state legislative districts, presidential districts, or municipal legislative districts? The lack of specificity in such a sweeping bill renders it legally ambiguous and administratively unworkable. The failure to define such a crucial term in the bill further highlights this legislation's careless and rushed nature, making it impossible to evaluate its scope and enforceability properly.

Before submitting this testimony, a review of the meeting minutes, recorded meetings, and agendas reveals no request from the relevant governing body nor a vote to approve a legislative request, which is customary for them. This complicates matters further, as an elected municipal body or residents of Maryland, or this municipal jurisdiction did not request this bill; instead, it was initiated by a single municipal administrator through their lobbyist, who, rather than adhering to due process, attempted to take a legislative shortcut after failing to respond promptly.

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Furthermore, this is not a delegation request from Prince George's County, and no such request came from the current Interim County Executive, County Council, or County Executive Elect for this legislation according to public records.

The commercial property owner at the center of this economic development race has explicitly stated that they have no intention of annexation due to the current economy and the state of the budget. This means that this bill serves no real public policy purpose and only advances the personal interests of a single frustrated municipal official.

To add insult to injury, the unelected municipal administrator responsible for this bill does not reside in Maryland. This individual, attempting to rewrite Maryland law to suit a mismanaged municipal strategy, will suffer no consequences for their actions. They will drive down I-495 and leave the state, while Marylanders are left to deal with the fallout of this unnecessary legislation.

Moreover, no single letter of support from any elected municipal body exists as of the time this testimony has been submitted, and the Maryland Association of Counties (MACo) has not taken a position on this bill. This is incredibly revealing.

If this bill were necessary or beneficial, it would have widespread backing from municipal and county governments and their citizens. Instead, it remains a solitary request from one unelected administrator with no proven support from the communities it claims to affect.

While the issue of annexation is undoubtedly worth examination, any review of annexation law must be conducted through a methodical, comprehensive approach. Tinkering with one aspect of annexation law without fully considering the ripple effects would be irresponsible and shortsighted.

Annexation law intersects with judiciary matters, existing case law, election law, constitutional law, and taxation policy. Changing a single sentence in Maryland's annexation law can trigger a tsunami effect, reverberating across local government articles, state election laws, municipal taxation frameworks, and judicial review standards.

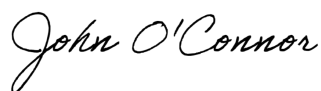
HB 1525 is unnecessary, unconstitutional, and an inappropriate interference in municipal governance. It:

- Violates the Maryland Constitution's requirement for due regard of municipal boundaries.
- Disrupts fair and equal representation by creating arbitrary annexation limitations.

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- Complicates the redistricting process and creates governance conflicts.
- Fails to define what type of legislative district it intends to reference, rendering the bill unclear and unworkable.
- Has been unanimously rejected by the Maryland Municipal League.
- It was not requested by an elected municipal body but rather by a municipal administrator.
- Has no support from elected bodies or county governments, and MACo has taken no position.
- Seeks to bypass the judicial process, setting a dangerous precedent that municipal failures can be solved through legislative intervention.
- There is a judicial process that can handle these matters, as has been done very successfully in the past years.

For these reasons, I urge you to oppose HB 1525, find it unfavorable, and prevent Maryland's legislative process from being misused to resolve a local administrative dispute without law or policy justification. As an alternative to avoid unnecessary legislation moving forward, I think it would be great to form a committee of leaders across the state of all levels to have a genuine and fruitful discussion on the State of Annexation in Maryland.



Honorable John O'Connor  
CSMC 2014-2022

Cc: Delegate Regina Boyce, Jacqueline T. Addison, Nick Allen, Terry L. Baker, Barrie S. Ciliberti, Debra M. Davis, Linda K. Foley, Michele J. Guyton, Anne M. Healey, Marvin E. Holmes, Jr., Jay A. Jacobs, Mary A. Lehman, Robbyn T. Lewis, Jeffrie E. Long, Jr., Todd B. Morgan, Ryan M. Nawrocki, Charles J. Otto, Sheila S. Ruth, Dana M. Stein, Vaughn M. Stewart, Jennifer R. Terrasa, Natalie C. Ziegler, Delegate Benjamin S. Barnes