

HOUSE BILL 859

L5

9lr1836

By: Delegates Carr, Korman, Shetty, and Solomon
Introduced and read first time: February 8, 2019
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Mandatory**
3 **Referral Review**

4 FOR the purpose of requiring certain actions to be subject to review by the
5 Maryland–National Capital Park and Planning Commission; clarifying that each
6 action may require separate reviews by the Commission; establishing that a certain
7 referral to the Commission is only deemed approved under certain circumstances if
8 there is a complete submission that can be adequately reviewed by the Commission;
9 and generally relating to the Maryland–National Capital Park and Planning
10 Commission and mandatory referral review.

11 BY repealing and reenacting, with amendments,
12 Article – Land Use
13 Section 20–301 and 20–304
14 Annotated Code of Maryland
15 (2012 Volume and 2018 Supplement)

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

18 **Article – Land Use**

19 **20–301.**

20 (A) Subject to §§ 20–303 and 20–304 of this subtitle, a public board, public body,
21 or public official may not conduct any of the following activities in the regional district
22 unless the proposed location, character, grade, and extent of the activity is referred to and
23 approved by the Commission, WITH EACH ACTION AS LISTED, SUBJECT TO REVIEW:

24 (1) acquiring or selling land;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



- 1 (2) locating, constructing, or authorizing:
- 2 (i) a road;
- 3 (ii) a park;
- 4 (iii) any other public way or ground;
- 5 (iv) a public building or structure, including a federal building or
6 structure; or
- 7 (v) a publicly owned or privately owned public utility; or
- 8 (3) changing the use of or widening, narrowing, extending, relocating,
9 vacating, or abandoning any facility listed in item (2) of this section.

10 **(B) THE ACTIONS SUBJECT TO REVIEW UNDER SUBSECTION (A) OF THIS**
11 **SECTION MAY REQUIRE SEPARATE REVIEWS BY THE COMMISSION.**

12 20-304.

13 Unless a longer period is granted by the submitting entity, an official referral to the
14 Commission under this part is deemed approved if the Commission fails to act within 60
15 days after the date of A COMPLETE submission ACCEPTED BY THE COMMISSION TO
16 ADEQUATELY REVIEW THE PROPOSED LOCATION, CHARACTER, GRADE, AND EXTENT
17 OF THE ACTIVITY.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2019.